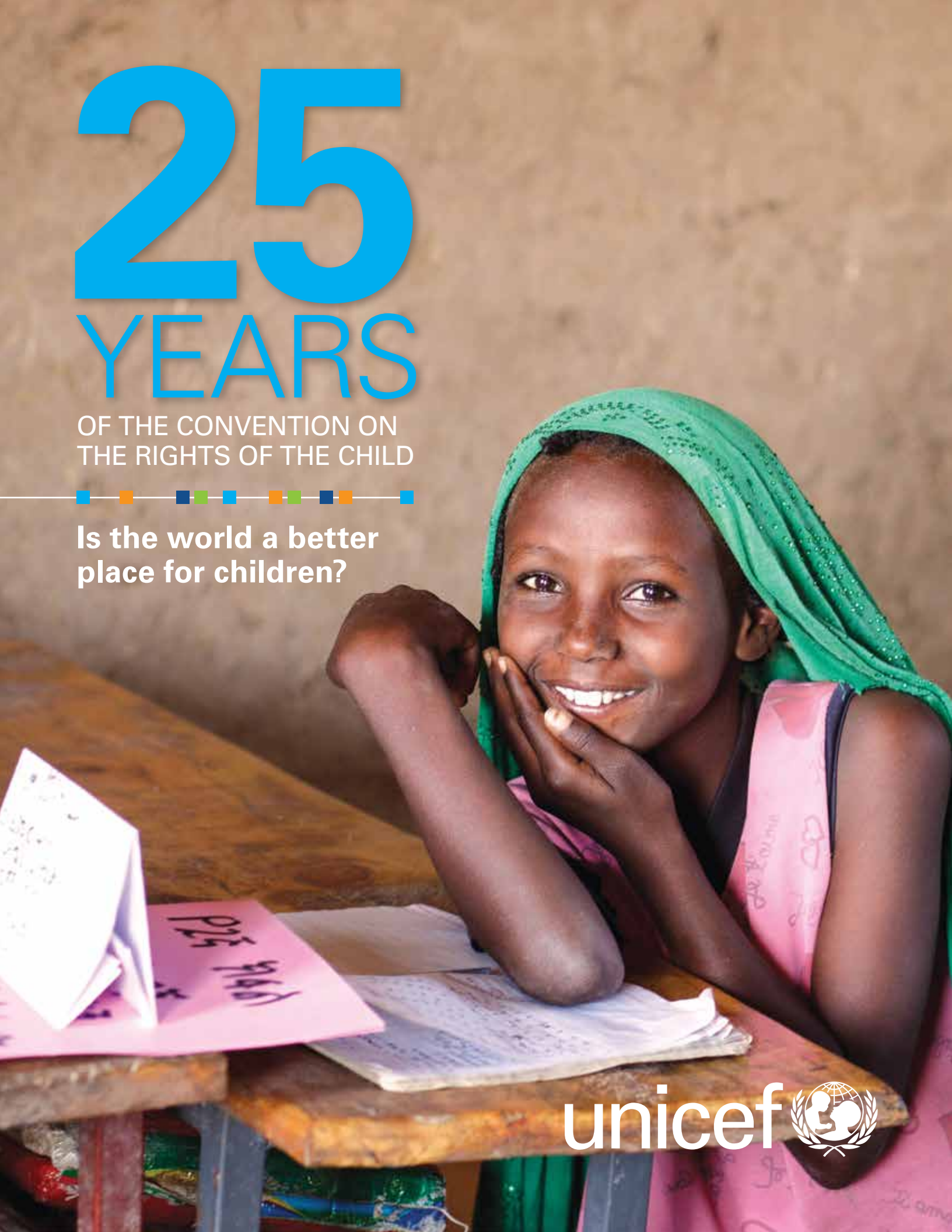
25 YEARS

OF THE CONVENTION ON THE RIGHTS OF THE CHILD

Is the world a better place for children?



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FOREWORD

CHILDREN'S RIGHTS, EQUITY AND OUR COMMON FUTURE

by **ANTHONY LAKE**



Anthony Lake
is the Executive Director of UNICEF.

Throughout history, the advance of civilization has been closely tied to the idea that all people have rights: universal, inalienable entitlements to freedom, dignity and security, to be treated fairly and to live free from oppression. The health and soul of all societies depend on how these human rights are recognized – and acted upon.

But until the Convention on the Rights of the Child was conceived and adopted 25 years ago, the rights of the world's youngest citizens were not explicitly recognized by any international treaty, nor was there acknowledgement of the fundamental connection between the well-being of children and the strength of their societies. This is why the Convention was such an important milestone – and why the occasion of its twenty-fifth anniversary challenges us all to find new ways of pursuing its universal mandate for every child, as the global community charts its course for the post-Millennium Development Goals period.

The Convention articulated, for the first time, that children also possess innate rights, equal to those of adults: rights to health, to education, to protection and to equal opportunity – without regard to gender, economic status, ethnicity, religious belief, disability or geographical location. And, in conformance with the principles of the Charter of the United Nations and the Universal Declaration of Human Rights, the Convention unequivocally recognizes that these rights are "the foundation of freedom, justice and peace in the world."

But a recognized right is not necessarily an executed right. Children's rights are brought to life not through pronouncements, but through sustained political commitment. A society's strength is secured not through good intentions, but through strategic investments. And social change is achieved not only through powerful words, but also through the action such words can



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In the Plurinational State of Bolivia, tens of thousands of children, some as young as 6 years old, have traditionally worked in sugar cane harvest and mining. Initiatives that provide stable schools and basic infrastructure have significantly reduced the number of the children subjected to child labour.

inspire. For without action – and the results only action can achieve – the best aspirations codified in the Convention on the Rights of the Child remain only words on paper.

As the essays in this compendium make clear, during the 25 years since the Convention was adopted, the world *has* taken action. In every region – and virtually every nation on earth – the Convention has inspired changes in laws to protect children and policies to help them reach their full potential. More broadly, it has provided a clear mandate to translate the right of every child to health, protection and hope into practical programmes and services.

This mandate has produced significant results, helping save and transform the lives of millions of children around the world. More children than ever before are surviving past their fifth birthdays. More are receiving vaccinations against diseases such as polio, which is nearly eradicated. More are benefiting from improved access to education, sanitation, water and nutrition. More youth are participating in matters affecting their own lives and taking a role in shaping their own futures.

These gains are impressive and important – and prove that common goals and shared effort can drive real change for children on the global, national and local levels.

But the very national statistical averages we use to prove our progress far too often mask the plight of far too many children. When we disaggregate these broad averages, disparities and even widening gaps emerge, revealing all the children who are not benefiting. Children who are being left behind because they live in hard-to-reach areas – in isolated rural communities or urban slums,

or in communities torn by conflict or catastrophes. Children who are victims of systemic prejudice and discrimination based on gender, ethnicity, disability, religion or skin colour. Children who want for nearly everything.

We cannot claim that children's rights are being upheld when 17,000 children under the age of 5 die every day, largely from causes we know how to prevent. When a girl in Afghanistan is kept home from school to perform household chores while her brothers gain an education. When a mother in Pakistan cannot access a simple polio vaccination for her child because they live in a remote community. When about one in four American children lives in poverty. When children are torn from their families, recruited into armed groups, and made to fight and die for causes they can barely understand.

These deprivations and adversities are violations of children's rights and cruel betrayals of children's hopes and dreams for a better life. This betrayal often begins at the beginning, in the earliest years, when critical neural connections are being formed in the developing brains of the youngest children. Research shows that these connections are deeply affected by deprivation, poor nutrition, trauma and toxic stress, further undermining the ability of children to reach their full potential. This loss is felt most by individual children and their families, but the long-term impact on their societies is tremendous.

We see the magnitude of this threat most starkly in countries riven by conflict: in the Syrian Arab Republic, where children have endured years of violence, deprivation and displacement; in the Central African Republic, where children have both witnessed and experienced cruelty and inter-communal violence on a massive scale; in South Sudan, where civil war is causing a nutrition and protection crisis that has left tens of thousands of children dead and has undermined the health, well-being and futures of many more. We see it in Iraq and in Gaza, where the recurrence of violent conflicts and indiscriminate attacks are endangering so many children and undermining the stability of their homelands.

These children are the future leaders of their societies, the future doctors and innovators, dreamers and doers. How will they view the world, and their responsibility to that world? If their own rights are violated, how will they learn respect for the rights of others, which is the foundation of civic duty and citizenship? How will they resist the lure of cynicism about the future, if their hopes for a better life have been destroyed?

These questions must be asked and answered as the world marks the twenty-fifth anniversary of the Convention and takes stock of progress in fulfilling its mandate. It is an especially pivotal time to do so, as the international development community – and the broader global community – considers the priorities of the 'post-2015' period following the conclusion of the Millennium Development Goals era.

"We cannot claim that children's rights are being upheld when 17,000 children under the age of 5 die every day."

We have a responsibility now to find new ways of tackling the challenges we have not yet overcome, to reach the children we have not yet reached, and to put equity and children's rights at the centre of an agenda of action for *all* children – including those lagging in the march of progress.

This is not only a moral imperative. It is a practical opportunity to accelerate our progress in fulfilling the universal mandate of the Convention, which in turn advances all our development goals because it is cost-effective. Studies show that when we design policies and programmes not around the easiest to reach, but around the hardest to reach, we can achieve more results. There are additional costs in doing so, but our analyses show that these costs are well outweighed by the additional results.

Indeed, investing in the most disadvantaged children is a strategic imperative for all of us. A UNICEF study suggests that the regions that have narrowed gaps in equality across income levels have also made the fastest reductions in child mortality. And a 2013 *Lancet* study found that reductions in mortality in low- and middle-income countries account for about 11 per cent of recent economic growth in those countries.



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More child rights factographs can be downloaded at <www.unicef.org/crc/index_73549.html>.

When we invest in a child's health, nutrition, protection and survival, we do more than just save a life. As child survival improves, so of course does life expectancy. A one-year improvement in a population's life expectancy is associated with a 4 per cent increase in national economic output.

When we invest in a child's education, we set in motion a path towards prosperity, empowerment and inclusion not just for the individual but also for societies and economies. Each additional year of schooling translates into an up to 10 per cent increase in potential income.

And we are also building the next generation of parents and leaders who, having grown up healthy, well educated and protected, will be better willing and able to guide future generations.

So the rights of children are the foundation of a strong as well as a just society.

The rapid, widespread ratification of the Convention on the Rights of the Child – and the results it has helped bring about for children – are among the great triumphs of the past quarter century. For reasons moral, economic and humanitarian – and as a means to promote peace and opportunity for every person, in every context – we must build on that progress.

Achieving universal ratification is important, but we must also continue our work for universal implementation of the Convention, making the right of the most disadvantaged, vulnerable and excluded children to health, education, protection and equal opportunity a central public priority.

The Convention on the Rights of the Child states that in all actions concerning children, "the best interests of the child shall be a primary consideration." If we put those interests at the heart of our agenda for the future, we not only serve the rights of children, but we also constructively shape our own future.



Anthony Lake
Executive Director

> "We have a responsibility now ... to put equity and children's rights at the centre of an agenda of action for all children."





IS THE WORLD A BETTER PLACE FOR CHILDREN?

A statistical analysis of progress since the adoption of the Convention on the Rights of the Child

Twenty-five years ago, the world made a commitment to its children: That we would do everything in our power to protect and promote their rights – to survive and thrive, to learn and grow, to make their voices heard and to reach their full potential. There is much to celebrate on the 25th anniversary of the Convention on the Rights of the Child, from declining infant mortality to rising school enrolment. But this historic milestone must also serve as an urgent reminder of the millions of children we have not yet reached – and an opportunity to find new ways of reaching them.

In this essay marking 25 years of the Convention, UNICEF examines how the world has changed over the past quarter century and poses a vital question: Does a child born today have better prospects in life than one who was born in 1989? The answer is yes, but not every child.

The Convention on the Rights of the Child represents a remarkable milestone in the journey to build a more just world: It is the first international instrument to articulate the entire complement of rights relevant to children – economic, social, cultural, civil and political. It is also the first international instrument to explicitly recognize children as active holders of their own rights.

The importance of the Convention was recognized from the outset and it quickly became the most rapidly and widely ratified human rights treaty in history. The Convention has now been ratified by 194 States.[1] Its almost

universal ratification shows an unparalleled level of agreement among the world's nations: That children must receive the treatment and respect to which they have an innate and immutable right.

The Convention offers a vision of a world in which children have a healthy start in life and are educated and protected, a world in which their views are respected and they can develop their full physical and mental potential. Its guiding principles – non-discrimination; the best interests of the child; the right to life, survival and development; and respect for the views of the child – have had a profound influence on how children are treated and regarded the world over.

HOW HAS THE WORLD CHANGED SINCE 1989?

The Millennium Development Goals (MDGs) process has been a key feature of global life over the past two and a half decades. The targets set by the international community were to be achieved by 2015 against a 1990 baseline. This is an appropriate moment, therefore, to take stock of the global state of children's rights.

The Convention on the Rights of the Child came into being at a time of great hope. Just 11 days before its adoption, the breaking down of the Berlin Wall symbolized the end of the cold war and prompted widespread expectations of a peace dividend following decades of spending on nuclear weapons. In 1990, Nelson Mandela walked out of prison, a free man after 27 years behind bars.[2] Several decades of statutory discrimination in South Africa soon came to an end with the repeal of several laws that had governed apartheid. Mandela was at the helm of the African National Congress in 1994, when it won the country's first



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Young siblings wrapped in a blanket inside a tent in the Domiz refugee camp, northern Iraq, where they now live. When they fled violence in the Syrian Arab Republic, in winter 2013, the boy was 2 years old and his sister was just 5 months old.

fully democratic election.[3] At the opposite end of the spectrum, the mid-1990s witnessed the genocide in Rwanda, with an estimated 800,000 people killed over the course of about 100 days.[4]

Although the number of armed conflicts around the world has decreased from a peak of 52 in 1991 to 33 in 2013,[5] the new century has already seen major conflicts in Afghanistan, Iraq and the Syrian Arab Republic, among other countries. In a world in which more than 1.5 billion people are experiencing political and social instability or large-scale criminal violence,[6] there is no climate of peace and certainly no peace dividend.

Environmental threats have also dominated the past two and a half decades, with the dangers of accelerated human-made climate change becoming ever more apparent. The impacts of climate change are already being felt in communities all over the world, and the brunt of the impact is being borne by children.[7]

The world is also a different place in economic terms, with significant increases in global trade and investment since 1990. Globalization has brought both opportunities and dangers. Greater interconnectedness facilitates international investment and trade, and many nations have taken advantage. The recent formation of a new international development bank by Brazil, the Russian Federation, India, China and South Africa is emblematic of this new reality.[8] The dangers of such interconnectedness, however, became evident in 2007–2008, when a financial crisis in developed markets reverberated globally, with indirect adverse effects on the livelihood of the poor and vulnerable in low- and middle-income countries. Even in a period when millions have been lifted out of poverty, inequalities and vulnerabilities within nations remain significant and have become a more pressing concern.

There have been significant demographic changes, too. The world is becoming increasingly urban. In 1990, almost 43 per cent of the world's population lived in cities, compared to 54 per cent in 2014.[9] And while the global population has increased from just over 5 billion in 1990 to more than 7 billion now,[10] growth rates have declined markedly in most regions. Sub-Saharan Africa, however, has had far higher rates of population growth than any other region, with its low- and lower-middle-income countries having the highest growth rates.[11]

The proportion of children under age 5 living in countries currently classified as low income rose from 13 per cent in 1990 to 19 per cent in 2014.[12] Yet, it is the poorest countries that inevitably find it most difficult to invest in the programmes that will fulfil the rights of their youngest citizens. There is a potential dividend to be reaped by those countries, particularly in Africa, that manage to successfully reduce birth rates while also investing in the resource of their young population.

“The proportion of children under age 5 living in countries currently classified as low income rose from **13%** in 1990 to **19%** in 2014.”



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Children play with a baby lying in a makeshift crib, at a community health centre in Cobán, Guatemala. The centre provides routine health care and immunizations for young children and pregnant women from the surrounding area.

There is more migration, and more complex patterns of migration, than in 1990, although migrants' proportion of the global population has risen just slightly, from 2.9 per cent in 1990 to 3.2 per cent in 2013.[13]

Information technology has had a transformative effect on societies the world over. In 1989, personal computers were relatively new and effectively confined to an elite in rich countries. In 2014, computers and mobile phones are an established part of life in all countries and, in many instances, are reaching relatively undeveloped rural areas. Instantaneous digital communication has networked societies, empowered social movements and focused attention on abuses or injustices that would have previously remained unnoticed. It has also enabled millions of children and adolescents to communicate beyond their immediate community and to express their opinions in public – while at the same time, however, making them vulnerable to online harassment and exploitation.[14] Overall, the digital divide between rich and poor within low- and middle-income countries remains huge and may be exacerbating existing disparities.

IS THE WORLD A BETTER PLACE FOR CHILDREN?

The principles articulated in the Convention on the Rights of the Child are indivisible and interdependent – no one right has precedence over another, and the non-realization of one right may impact on the realization of the other rights. In practice, almost all of the areas of children's rights overlap and interact with each other: A child who is registered at birth is more likely to have access to health care, go to school and subsequently be protected from child marriage. A young child with access to safe drinking water is more likely to survive and be able to attend school at the appropriate age. Safe drinking water in school

increases a child's health and, therefore, academic achievement and likelihood of staying in school. A child who is attending school is less likely to be engaged in child labour. And so on.

The lives of millions of children have improved since 1990. Several countries have incorporated the provisions of the Convention in their laws, constitutions, policies and budgets. Children are now widely viewed differently – as holders of their own rights to health care, adequate nutrition, education, participation, freedom from violence and exploitation, and the time and space to play. There is now a better understanding of the ways in which children experience poverty, and how the multiple deprivations they face acutely impact their ability to survive and thrive. This knowledge is informing better focused policies and programmes for children. More is also known about the importance of early childhood as the most important development stage in a person's life, with resulting increases in the number of children benefiting from early education.

But millions of children continue to lack essential services that can ensure their survival, reduce their vulnerability to disease and undernutrition, provide them with access to improved water and sanitation, increased access to HIV prevention, treatment, care and support services, and allow them to obtain a quality education. Millions of children lack a protective environment that shields them from violence, exploitation and abuse – in their homes, schools and communities. Millions of children continue to live in extreme poverty, a number that is disproportionate to their share of the global population.

Children born to poor parents, children of ethnic minorities, children who live in rural areas, and children with disabilities all remain particularly vulnerable. The vision of the Convention can only be achieved if the rights of all children, including the most disadvantaged, are realized.

In almost all areas examined in this essay, there has been substantial progress. But the task is far from finished. We have travelled farther down the road charted by the Convention, but we are still a long way from the envisioned destination.

This section of the essay attempts to create an overall picture as to whether the world is a better place for children now than it was around 1989 and draws primarily on statistical evidence. The final section briefly examines legislative, programmatic and policy developments.

"Millions of children continue to live in extreme poverty, a number that is disproportionate to their share of the global population."

Health and nutrition

Article 6 of the Convention recognizes children's "inherent right to life" and enjoins States parties to "ensure to the maximum extent possible the survival and development of the child." A baby born in 2014 has a dramatically improved chance of living to age 5 compared with one born in 1990. The number of children under 5 years old who die each year has been reduced by almost 50 per cent – from 12.7 million in 1990 to 6.3 million in 2013.[15] In global terms, the under-five mortality rate declined from 90 per 1,000 live births to 46 per 1,000 live births

in 2013. At the current pace of reduction, the MDG target rate of 30 per 1,000 will not, however, be attained by 2015 (*see Figure 1*).

The infant mortality rate, which tracks deaths in the first year of life, and the neonatal mortality rate, which covers the first 28 days, have improved less swiftly than the under-five mortality rate (*see Figure 1*). The younger children are, the more vulnerable they are: 44 per cent of all deaths among children under age 5 occur in the first month of life, and an additional 30 per cent occur during the next 11 months.[16]

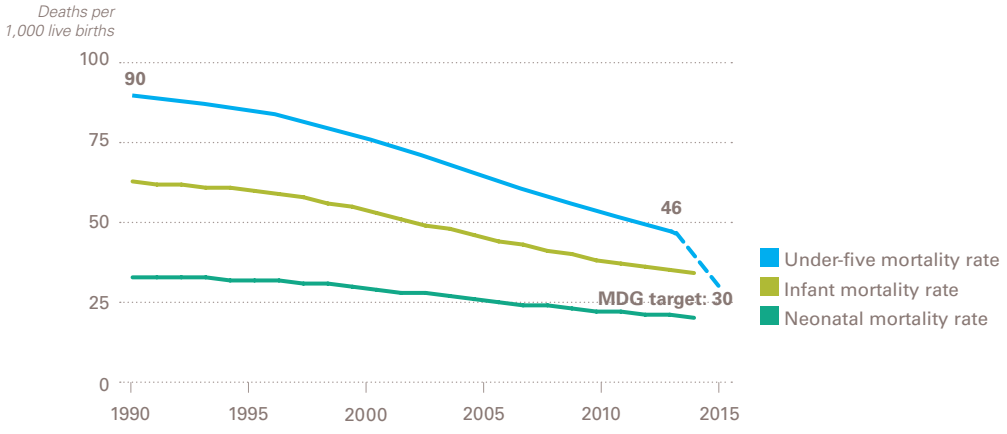
The chances of a baby being born healthy and without complications are markedly improved if the mother is educated, receives adequate nutrition, is protected from HIV, or, if HIV positive, is receiving antiretroviral medicines to prevent vertical transmission, and is well looked after during pregnancy. It is vital that she be examined by a skilled health provider in the months leading up to the birth. Article 24 of the Convention requires States parties to "ensure appropriate pre-natal and post-natal health care for mothers." In 1990, 35 per cent of pregnant women did not see a skilled health provider even once before giving birth. By 2012, that proportion had been halved to 17 per cent. As for the percentage of women who receive antenatal care for the recommended minimum of four times during their pregnancy, modest progress has also been made since 1990, with global rates increasing from 37 per cent in 1990 to 52 per cent in 2012.[17]

Coverage of antenatal care – the percentage of women attended at least once during pregnancy by skilled health personnel – has improved in all regions.

FIGURE 1

The global under-five mortality rate has been reduced by almost half

Global under-five, infant and neonatal mortality rates, 1990 to 2013



Note: For the under-five mortality rate, the dashed portion of the line shows the reduction that would be needed between 2013 and 2015 in order to meet the MDG4 target: To reduce by two thirds, between 1990 and 2015, the under-five mortality rate.

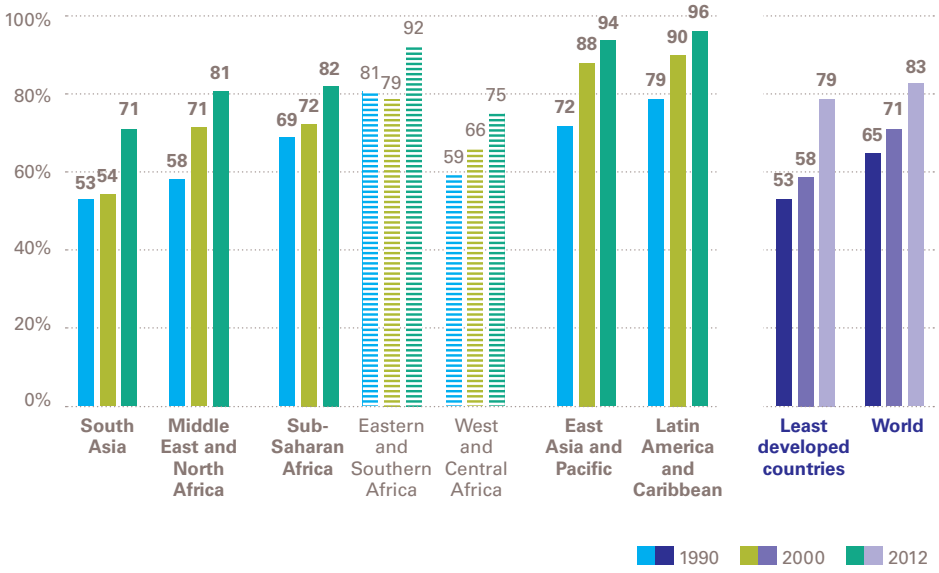
Source: United Nations Inter-agency Group for Child Mortality Estimation (IGME), 2014.

It is particularly encouraging that the greatest progress has been made in the least developed countries, where the rate increased from 53 per cent in 1990 to 79 per cent in 2012. Where the mother lives, however, makes a great deal of difference in this respect. In South Asia, for example, 3 out of 10 women never see a skilled health provider during pregnancy (*see Figure 2*).

FIGURE 2

Antenatal care coverage has improved in every region, most of all in the least developed countries

Percentage of women attended at least once during pregnancy by skilled health personnel (doctor, nurse or midwife), by region, 1990, 2000, 2012



Note: Estimates are based on a subset of 81 countries with available trend data for 1990–2012 covering 76 per cent of births worldwide. Regional estimates represent data from countries covering at least 50 per cent of regional births.

Source: UNICEF global databases, 2014, based on Demographic and Health Surveys (DHS), Multiple Indicator Cluster Surveys (MICS) and other national household surveys, 1990–2012.

In 1990, 57 per cent of deliveries were attended by skilled health personnel, compared with 69 per cent in 2012.[18] But this improvement is far too slow, which is a major reason why progress towards the MDG5 target of reducing the maternal mortality ratio by 75 per cent has fallen so far short, at just 45 per cent between 1990 and 2013.[19] South Asia and sub-Saharan Africa have the lowest rates of deliveries attended by skilled health personnel. In 2012, the rates were 49 per cent and 50 per cent, respectively.[20]

There is a strong correlation between breastfeeding and better health and development outcomes later in life. Early initiation of breastfeeding – within one hour of birth – is one of the first lines of defence against disease and for

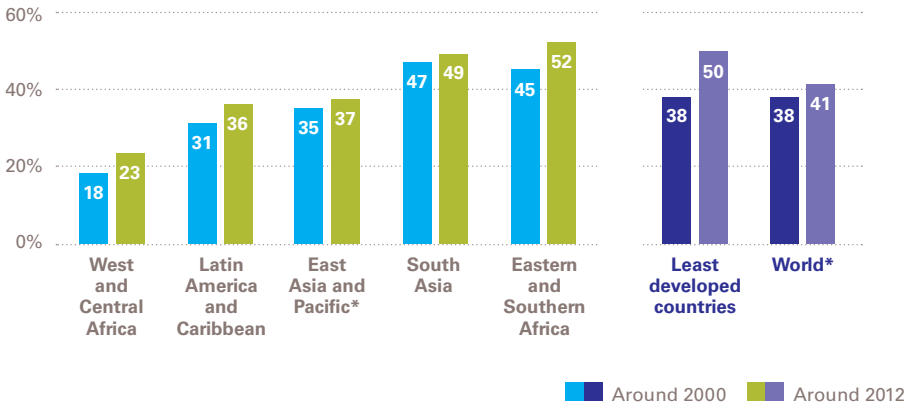
ensuring that babies thrive. But fewer than half of all newborns are put to the breast in the first hour and even fewer are exclusively breastfed for the first 6 months of life.

The global proportion of infants who are exclusively breastfed hardly changed between 2000 and 2012 (*see Figure 3*). On the positive side, the biggest increase was in the least developed countries, where half of all infants are now exclusively breastfed. Overall, however, the progress is slow and the rate of exclusive breastfeeding in West and Central Africa, in particular, remains low.

FIGURE 3

Exclusive breastfeeding rates have stagnated, but improvements have been made in the least developed countries

Percentage of infants aged 0–5 months who are exclusively breastfed, by region, around 2000 and 2012



*Excludes China.

Note: Estimates are based on a subset of 62 countries, covering 55 per cent of global births. Regional estimates represent data from countries covering at least half of the regional population (excluding China for East Asia and the Pacific). Data coverage was insufficient to calculate the percentage of infants under 6 months of age who are exclusively breastfed in CEE/CIS and MENA because comparable data on exclusive breastfeeding are not available.

Source: UNICEF global databases, 2014.

There has been genuine progress in safeguarding the lives of the youngest children: In 2013, 20 babies of every 1,000 born alive died in their first month of life, compared with 33 babies of every 1,000 born alive in 1990 – a huge improvement. Further success in reducing neonatal deaths will come from investing in skilled delivery and good-quality newborn care. Additional gains can be made by investing in improving adolescent girls' nutritional status and delaying their first pregnancy – which will reduce the number of low-birthweight babies, as low birthweight is associated with more than 80 per cent of all newborn deaths globally.[21]

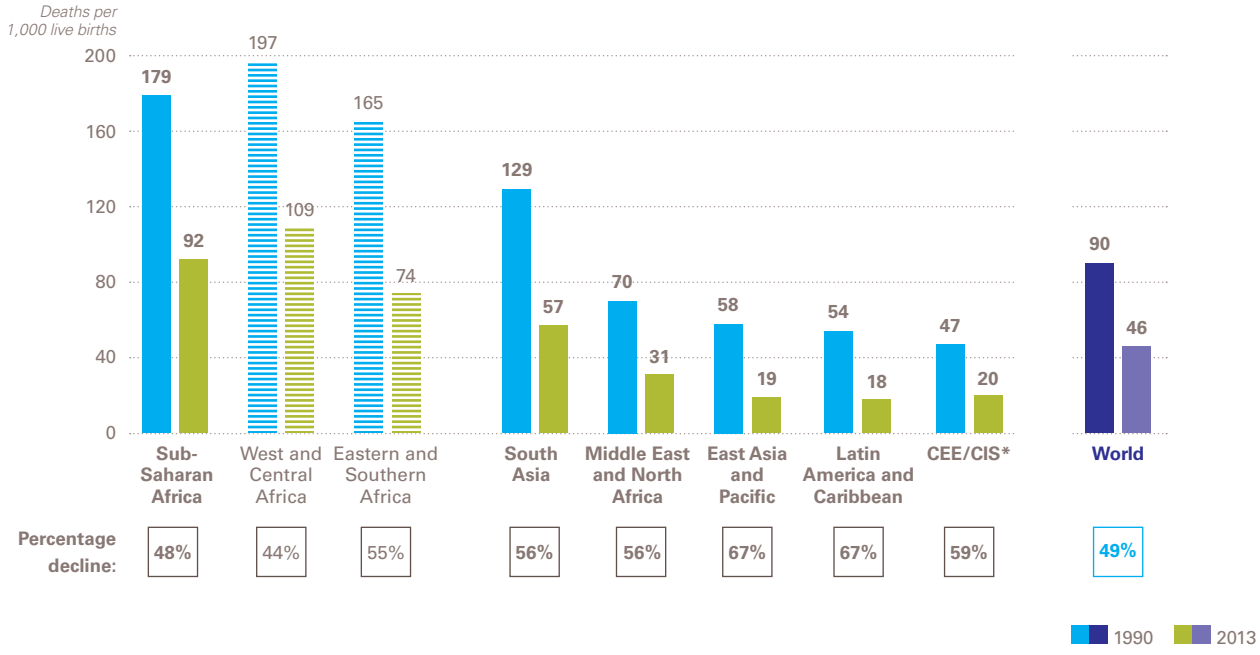
The progress in saving the lives of children aged 1–4 has moved more swiftly because many of them previously died from preventable causes such as pneumonia, malaria, measles and diarrhoea. Confronting the major killer diseases in early childhood has enabled all of the world's regions, except West and Central Africa, to cut their under-five mortality rates by more than 50 per cent since 1990 (*see Figure 4)*.

Although the under-five mortality rate has been reduced in West and Central Africa, high fertility rates in the region have resulted in virtually no reduction in the annual number of child deaths since 1990; around 2 million children continue to die each year. The region has the highest under-five mortality rate in the world, with almost one in every nine children dying before their fifth birthday. In contrast, Eastern and Southern Africa has been among the success stories of recent years, with its under-five mortality rate declining at an annual rate of 5.1 per cent between 2005 and 2013.[22] Sub-Saharan Africa reduced its regional under-five mortality rate from 2005 to 2013 more than five times faster than from 1990 to 1995.[23]

FIGURE 4

Under-five mortality is declining in all regions

Under-five mortality rate, by region, 1990 and 2013, and percentage declines



* CEE/CIS: Central and Eastern Europe and the Commonwealth of Independent States.

Note: Sub-Saharan Africa includes West and Central Africa, Eastern and Southern Africa, Djibouti and the Sudan. For further details on UNICEF's regional classification, please refer to *The State of the World's Children 2014 in Numbers*, p. 26, <www.unicef.org/publications/files/SOWC2014_In_Numbers_28_Jan.pdf>.

Source: IGME, 2014.

> “Pneumonia, diarrhoea and malaria are still the leading causes of child deaths, together killing approximately **5,000** children under age 5 each day.”

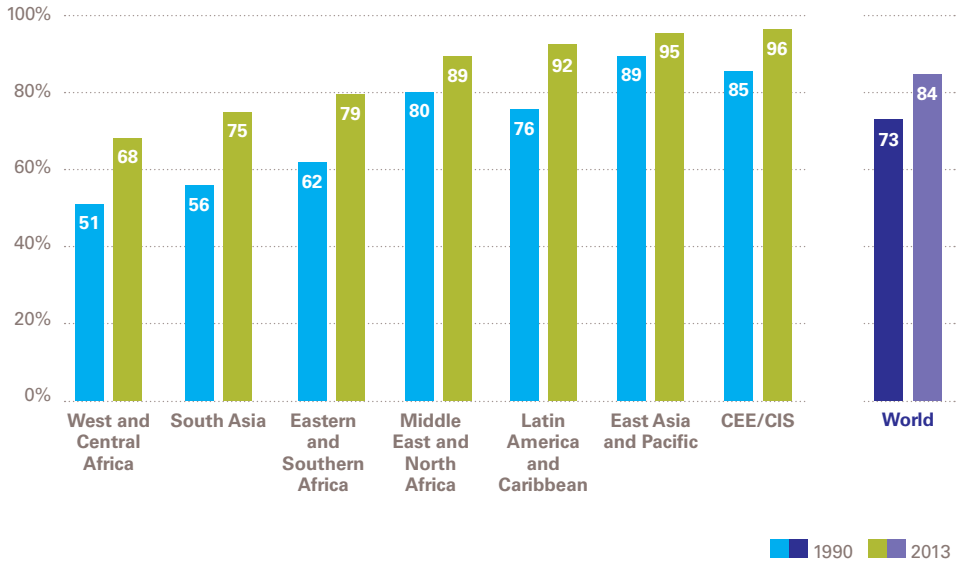
Pneumonia, diarrhoea and malaria are still the leading causes of child deaths, together killing approximately 5,000 children under age 5 each day. Undernutrition is often an underlying factor that can exacerbate the severity and duration of these common illnesses. The major improvements in child survival today as compared with 1990 are largely attributable to affordable, evidence-based interventions against these diseases – such as immunization, insecticide-treated mosquito nets, rehydration treatment for diarrhoea, micronutrient supplementation and treatment of acute malnutrition, along with access to clean water and sanitation.

For example, the dramatic decrease in deaths caused by measles – which were reduced by 80 per cent between 2000 and 2013[24] – is largely due to high levels of immunization coverage, particularly as a result of supplementary immunization activities that complemented routine immunization. Measles vaccine coverage through routine immunization improved from 73 per cent in 1990 to 84 per cent in 2013 (*see Figure 5*). But there is no room for complacency, even though improvements in measles immunization coverage have been universal: In South Asia and sub-Saharan Africa, coverage remains below 80 per cent, and there is recent concern that measles outbreaks are on the rise.[25]

FIGURE 5

Measles immunization coverage has improved since 1990, but is lagging in some regions

Percentage of surviving infants who received the first dose of the measles-containing vaccine, by region, 1990 and 2013



Source: WHO/UNICEF estimates of national immunization coverage, 2014.



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At a clinic in Bangui, Central African Republic, a health worker measures a girl's mid-upper-arm to assess her nutritional status. The yellow on the band indicates that she is at risk of malnutrition.

As a result of a comprehensive global effort to eradicate polio, the global number of cases has decreased by more than 99 per cent since 1988. In 2014, polio remains endemic in only three countries – Afghanistan, Nigeria and Pakistan. The virus continues to circulate, however, placing the poorest and most vulnerable children at risk.[26]

A child's nutritional status is directly linked to the right to survival and development, yet 15 per cent of babies are born with low birthweight[27] – increasing their risk of death during their early months and years, and compromising their future health and cognitive functioning. In addition, millions of children suffer from micronutrient deficiencies that hamper their ability to learn and thrive.[28]

Globally, nearly half of all under-five deaths are attributable to undernutrition.[29] In 2013, an estimated 17 million children under age 5 were severely wasted, placing them at a high risk of death. Severe wasting is prevalent among young children in both emergency and non-emergency situations, with approximately two thirds of affected children living in Asia and almost one third living in Africa in 2013.[30]

Globally, an estimated 161 million children in the world were stunted, or too short for their age, in 2013.[31] Poor nutrition in the first 1,000 days of life can lead to stunted growth, which can have irreversible consequences. Stunting is associated with impaired brain development, which undermines children's ability to learn and their future earnings potential. Yet, evidence shows that stunting can be reduced through such measures as improving women's nutrition, early and exclusive breastfeeding, giving children supplementary vitamins and minerals as well as safe and age-appropriate feeding practices, especially in their first two years of life,[32] and providing a healthy environment, including safe water, sanitation and good hygiene.

> “In 2013 … 25 out of every 100 children under age 5 were stunted, compared with 40 out of every 100 in 1990.”

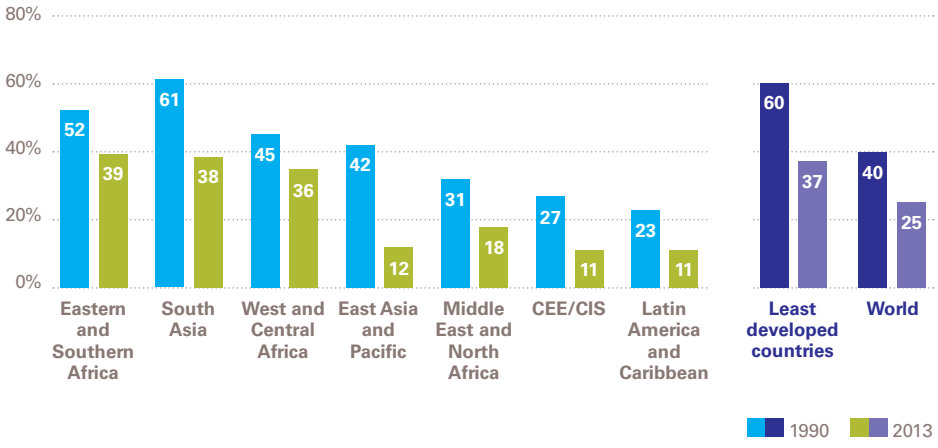
There has been considerable progress in reducing stunting since 1990. In 2013, on average, 25 out of every 100 children under age 5 were stunted, compared with 40 out of every 100 in 1990 (*see Figure 6*). Nonetheless, in the regions where stunting is most prevalent – South Asia and sub-Saharan Africa – children still face almost the same chance of being stunted, on average, as they did in global terms in 1990. At the other end of the scale, the global number of overweight children is becoming an increasing concern, and obese children are more likely to develop a variety of health problems as adults.

International commitment to ensuring access to micronutrients such as iodine, iron and vitamin A – which are vital to the mental and physical development of babies and young children – has deepened in recent years. Efforts towards eliminating iodine deficiency disorders gained strength during the 1990s; the majority of countries worldwide have enacted mandatory legislation to add iodine to salt. An estimated 76 per cent of the world’s households now consume adequately iodized salt, although coverage varies by region.[33] Innovative programmes to improve the iron and micronutrient content of children’s diets are now being implemented in 43 countries.[34] An estimated 70 per cent of children received the recommended two annual doses of vitamin A supplementation in 2012.[35] Scaling Up Nutrition – which was founded in 2010 to unite representatives from government, civil society, the United Nations, donor organizations, businesses and research institutions in an effort to improve nutrition – now includes by 54 national governments.[36]

FIGURE 6

A quarter of the world’s children under age 5 are stunted

Percentage of children under age 5 who are stunted (low height for age), by region, 1990 and 2013



Source: UNICEF/WHO/World Bank Joint Child Malnutrition Estimates, 2014.



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A woman feeds her daughter a meal fortified with a micronutrient powder, in Saravane Province, Lao People's Democratic Republic. The powders provide vitamins and minerals and are used with at-risk populations to reduce anaemia and iron deficiency.

Decades of investments in early childhood health and well-being, higher immunization levels and improved child nutrition, among other interventions, have resulted in a steep decline in the spread of communicable diseases that primarily affect young children. Many children have survived to adolescence because of these advances.

But children who survive until adolescence face new risks and threats to the achievement of their rights. Behaviours often established in adolescence account for two thirds of premature deaths and one third of the total disease burden in adults. Every year, 1.4 million adolescents die from road traffic injuries, complications of childbirth, suicide, violence, AIDS and other causes.[37]

Water, sanitation and hygiene

Access to clean water, adequate sanitation and hygiene education is crucial to ensuring a child's right to survival and development, as well as essential for the overall health, welfare and livelihood of communities. Increased access and better services lead to reduced infections, higher levels of school achievement and improved economic productivity.

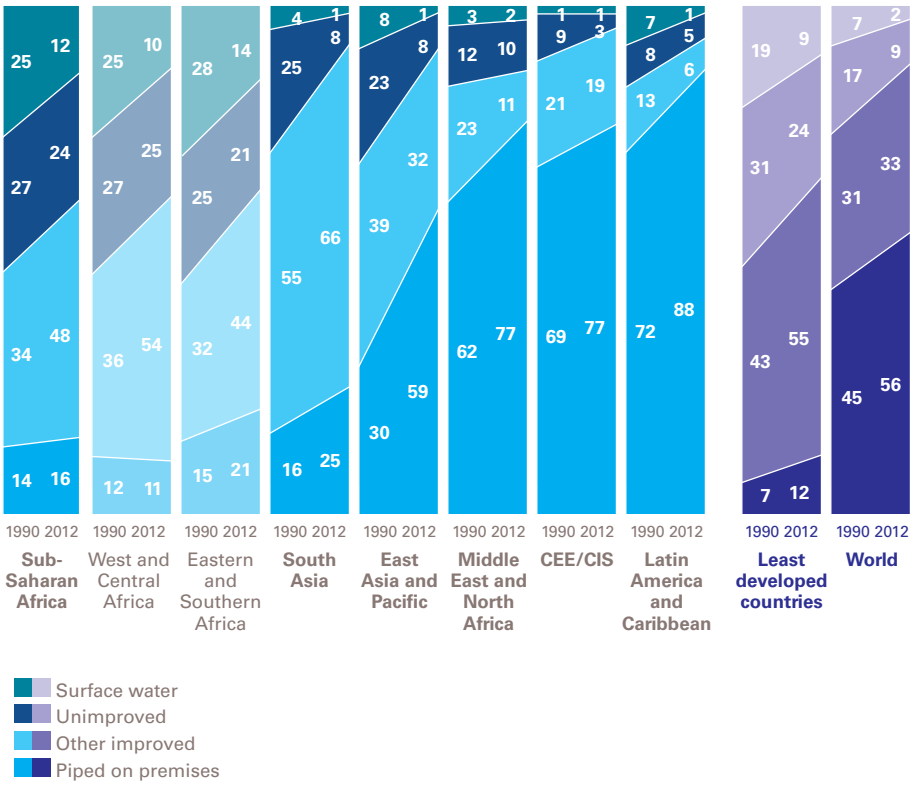
A child living in 2012 was much more likely than a child in 1990 to have access to improved sources of drinking water (*see Figure 7*), rather than relying on surface water or other unimproved sources. As the MDG target was met ahead of time, around 2.3 billion people gained access to improved sources

of drinking water between 1990 and 2012 – bringing the global drinking water coverage to 89 per cent in 2012, up from 76 per cent in 1990.[38] But this leaves hundreds of millions of children relying on sources of drinking water that may be contaminated with faecal matter or chemical pollutants. And many children are still deprived of access to adequate sanitation and hygiene, leading to a devastating impact on their health.

FIGURE 7

Despite progress, millions of children are still deprived of access to safe drinking water

Trends in drinking water coverage (%), by region, 1990 to 2012



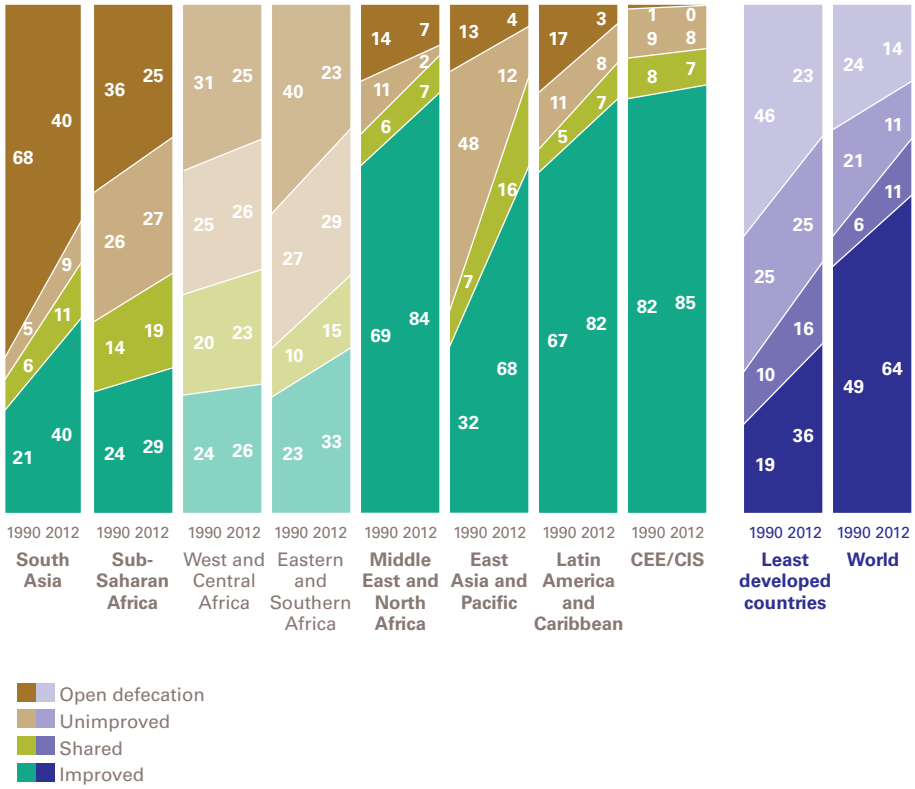
Source: WHO/UNICEF Joint Monitoring Programme (JMP) for Water Supply and Sanitation, 2014.

Although 1.9 billion people gained access to an improved form of sanitation between 1990 and 2012,[39] the MDG target on sanitation has not been reached. As of 2012, 36 per cent of the world's population had no access to improved sanitation facilities (toilets and latrines), and 1 billion people are still practising open defecation.[40] This presents the risk of disease and affects children's physical and cognitive development.

FIGURE 8

The widespread practice of open defecation deprives children of the right to healthy development

Trends in sanitation coverage (%), by region, 1990 to 2012



Source: WHO/UNICEF JMP for Water Supply and Sanitation, 2014.

Early childhood development

Early childhood development is widely considered the most important developmental phase in a person's lifespan. It influences physical and mental health, basic learning, school success, and economic and social participation. Support for early learning and play within the family is a vital part of a child's cognitive and socio-emotional development. The development of a child's brain to its full potential also depends to a large extent on quality health care, breastfeeding, nutrition, stimulation, adequate hygiene and sanitation, and accident prevention during the early years.[41]

Recent evidence from multiple disciplines confirms that investing in early childhood development is one of the most cost-effective ways to improve educational achievement and to increase skills, capabilities and productivity.[42] Globally,

enrolment in early childhood education increased from 27 per cent in 1990 to 54 per cent in 2012.[43] Yet fewer than 50 per cent of children aged 3–4 attend preschool early learning programmes in most low- and middle-income countries.[44]

The Convention highlights the importance of early child development in articles 6, 24 and 27. These articles recognize every child's right to a standard of living that is adequate for physical, mental, spiritual, moral and social development. Bolstering the Convention, the importance of caring for every child and giving every child the best possible start in life was reaffirmed in the 2002 Declaration 'A World Fit for Children'.

Since the advent of the Convention, there has been significant progress in providing children with the best possible start in life. Decreased rates of infant and child mortality, reductions in the prevalence of stunting and improved sanitation may suggest that the world is on track to meet its promises for children.

Beyond the national averages, however, there are widening disparities among and within regions and countries. It is estimated that poverty and associated health, nutrition and social factors are preventing 200 million children under age 5 in low- and middle-income countries from achieving their development potential.[45]

With support from UNICEF and other partners, the Committee on the Rights of the Child issued a General Comment in 2005 on implementing child rights in early childhood.[46] The Comment aimed to promote recognition that early childhood is a critical period for the realization of all the rights enshrined in the Convention and to guide States in further application of early childhood development across sectors. More recently, its importance was reaffirmed at the global level through the General Assembly's resolution on the rights of the child.[47]

Education

In 1990, the World Conference on Education for All attempted to galvanize action by setting a goal of universal primary education by 2000. This was in alignment with article 28 of the Convention, which recognizes the State's duty to ensure that primary education is both free and compulsory. The MDGs then recalibrated these targets, aiming for gender parity in primary and secondary education by 2005 and universal primary education by 2015. Although the number of out-of-school children of primary school age was reduced by more than 40 per cent between 1990 and 2012,[48] the MDG targets have not yet been attained.

During the early years of this century, there was significant international momentum behind the drive to achieve primary education for all (*see Figure 9*). Progress has since stalled, however, in part due to reduced aid funding for education in the wake of the global financial crisis of 2007–2008.[49] As a result, almost 58 million children of primary school age, or 9 per cent of children in that age group, remain out of school.[50] In sub-Saharan Africa, the out-of-school rate is much higher (21 per cent) according to official figures – and even higher, according to other estimates.[51]

About half of the primary-school-age children who are not attending school live in countries affected by conflict,[52] and that proportion is rising. Of those who are out of school in conflict-affected nations, 95 per cent live in low- and lower-middle-income countries. In addition, children with disabilities are disproportionately likely to be out of school.

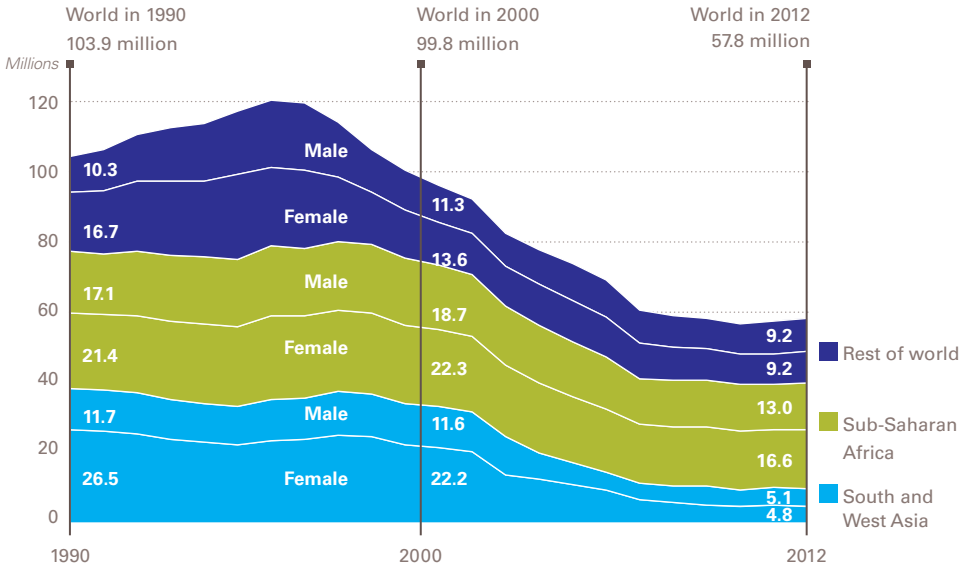
Although the waning rate of progress is disappointing, it should be noted that children today have far higher chances of being able to go to primary school than they did in 1990. It is also worth noting that, outside sub-Saharan Africa, the gender composition of the out-of-school contingent is broadly even, with a successful reduction in the number of girls out of school in South and West Asia between 2000 and 2010.

> “Almost **58 million** children of primary school age, or **9%** of children in that age group, remain out of school.”

FIGURE 9

Progress in reducing the global number of out-of-school children has stalled

Number of out-of-school children of primary school age, 1990 to 2012



Source: UNESCO Institute for Statistics, 2014.



Thirteen-year-old Haroun Alkhalil attends class at the Socrate Primary School in N'Djamena, Chad.

> "In many countries ... the quality of the educational experience is chronically deficient."

But what about the quality of education that children experience once they are in school? Article 29 of the Convention stipulates that education should be directed to the "development of the child's personality, talents and mental and physical abilities to their fullest potential." In many countries, however, the quality of the educational experience is chronically deficient. At least 250 million of the world's primary-school-age children (38 per cent of the total) do not know the basics of literacy and numeracy, whether they have attended school or not. In 21 of the 85 countries with full data, less than half of children are learning these fundamentals.[53]

Pupil-teacher ratios are a key statistical indicator of the quality of education – teachers with very large class sizes are less able to ensure that all their students are learning effectively, let alone focus on students' individual needs. The pupil-teacher ratio in low-income countries in 2011 was 43 to 1, exactly the same as in 1999. But even this does not convey the full story, as many countries have been trying to cope with rising numbers of schoolchildren by recruiting teachers who have not received training. In 34 of the 98 countries with data, fewer than 75 per cent of teachers are trained to national standards, and in 4 of those countries, the proportion dips below 50 per cent.[54]

Concerns about the quality of teaching and learning are far from being confined to poorer countries. In England and Norway, for example, more than 10 per cent of Grade 8 students were performing below minimum learning levels in mathematics in 2011, while in New Zealand, only two thirds of poor students attained minimum standards compared with 97 per cent of rich students.[55]

Both teachers and students frequently have to cope with poor physical infrastructure, and are squeezed into overcrowded classrooms in which children sit on the floor or are forced outside. They also have to cope with inadequate learning materials and textbooks shared between large groups.[56] Lack of safe water, adequate sanitation and hygiene education in schools also poses health risks and hampers children's ability to learn.

These issues of educational quality apply equally to secondary schooling. Article 28 of the Convention delineates the State's duty to encourage different forms of secondary education that are accessible to every child; educational experts recommend a minimum of three years of lower secondary education. Transition rates from primary to lower secondary school are, in general, quite high – well over 90 per cent outside sub-Saharan Africa[57] – so the first step towards secondary education for all is to ensure that children attend primary school.

Very few countries have achieved universal secondary education, which is still reserved for a privileged fraction of the population in numerous countries. In most of sub-Saharan Africa, for example, less than half of adolescents of the appropriate age are enrolled in secondary school.[58] This means that millions of young people are entering the workforce and preparing for the myriad challenges of adulthood without the necessary academic preparation.

While by 2011, 60 per cent of countries had achieved gender parity in primary education, only 38 per cent had achieved parity at the secondary level. The largest gender gap is in West and Central Africa, where 76 girls are enrolled in secondary school for every 100 boys. In contrast, in Latin America and the Caribbean, more girls than boys are enrolled in secondary school.[59]

The benefits of girls' participation in secondary education for themselves, their children and the entire society are well documented. The children of girls who receive a high school education, for example, have lower rates of infant mortality, higher rates of childhood immunization and better nutrition, including lower rates of stunting. The effects span generations, for example, for each additional year of mothers' education, a child spends an additional 0.32 years



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Diane Claire Daga, 5, attends Cogon Elementary School near Tacloban, the Philippines. The school building was partly damaged by Typhoon Haiyan in 2013.

in school.[60] Educating girls at the secondary level empowers them to overcome discrimination and assert their rights, can mitigate the spread of HIV and AIDS, and increases economic opportunities that make women and their children less vulnerable to exploitation and abuse.[61]

Child poverty

Over the past 25 years, the world has made unprecedented progress in alleviating poverty and improving the living conditions of millions of families, women and children. Globally, the proportion of people in developing regions who live in extreme poverty has been cut in half, from 47 per cent in 1990 to 18 per cent in 2010.[62] But many challenges remain in the effort to consolidate and accelerate this progress and ensure that the rights of children from the poorest backgrounds can be fulfilled.

Most pressingly, evidence shows that a disproportionate number of children continue to live in extreme poverty: More than one third of the extremely poor are under age 13, and in low-income countries, half of all children live in extreme poverty.[63] In 2013, it is estimated that 47 per cent of those living on less than US$1.25 a day are aged 18 or under,[64] much greater than their share of the global population, which is 34 per cent.[65] In addition, 30 million children – one in eight – in the world's richest countries are growing up in relative poverty,[66] with many countries showing increasing child poverty rates in recent years as a result of the economic crisis.[67] Child poverty is a truly global issue.

While monetary poverty is of vital importance for children, the Convention has played a crucial role in transforming the understanding of child poverty to consider the multiple deprivations children experience. Based on the Convention, there has been a great expansion in capturing multidimensional child poverty and placing it high on the political agenda.[68] The *Report Card* series produced by UNICEF's Office of Research, for example, has been successful at placing child poverty and children's well-being at the centre of the policy debate in the European Union.

Measuring and addressing child poverty are particularly important because the impacts on children are so devastating, affecting their physical, cognitive and social development. Poverty can undermine children's physical and mental health and set them on a lifelong trajectory of low education levels and reduced productivity. In general, child mortality is notably higher in the lowest-income households than in wealthier households. Children in the poorest quintiles of their societies are more than twice as likely to be stunted as children from the richest quintiles. They are also much more likely to be excluded from essential health-care services, improved drinking water and sanitation facilities, and primary and secondary education.[69]

Furthermore, children living in poverty are more likely to become impoverished adults and to have poor children, creating and sustaining inter-generational cycles of poverty. While the largest costs of child poverty are borne directly by children, society also pays a high price through reduced productivity, untapped potential and the costs of responding to chronic poverty. Child poverty damages children's life chances and harms us all.

Eradicating child poverty in all its dimensions is one of the world's most important and urgent tasks. One area that has seen great progress in the past 25 years is a tremendous expansion in social protection programmes. While no silver bullet, child-sensitive social protection programmes have proved to be extremely effective in addressing risks and vulnerabilities related to chronic multidimensional poverty. Cash transfer programmes in particular – which enable poor families to invest in their children – have shown significant impacts on multidimensional poverty among children, including increases in school enrolment, better access to health care and reduced rates of malnutrition.[70]

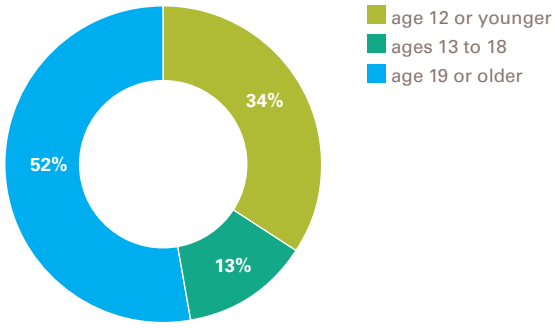
> "Cash transfer programmes, in particular ... have had significant impacts on multidimensional poverty among children."

While there has been significant progress in recognizing, measuring and addressing child poverty, much remains to be done. Because childhood poverty is still not consistently measured, it remains absent from much poverty analysis, and it is not always recognized in national plans and policies. Through the post-2015 development agenda, Member States have a historic opportunity to make an explicit commitment to end child poverty by undertaking child-focused budgeting and expanding the services and social protection programmes that would make such a difference to the world's poorest children.

FIGURE 10

Nearly half of the world's extremely poor are children

People living on less than US$1.25 a day, by age, percentage of the total



Note: The numbers may not add up to 100 per cent due to rounding.
Source: The World Bank, 2013.

Humanitarian action

The landscape in which humanitarian action takes place has changed significantly since the Convention was adopted. Conflicts are increasingly characterized by protracted intra-state hostilities, with a significant impact on civilians. Climate change and a burgeoning global population are increasing competition for resources, including access to water, and are raising concerns about food security. Today, an estimated 102 million people are in need of humanitarian assistance, including more than 20 million food-insecure people in the Sahel region of Africa. In the Syrian Arab Republic, 6.5 million people are internally displaced and more than 3 million have fled to neighbouring countries.[71] And there has been an unprecedented number of concurrent major emergencies, bringing ever greater urgency to advocacy and monitoring efforts based upon the Convention and its Optional Protocols.

Children in humanitarian situations and post-crisis transition contexts face a dramatically greater risk of violations to their rights as health and water systems become overstretched, physical infrastructure is undermined, learning is interrupted, and the threat of exploitation and abuse increases. One out of every five children who died in 2013 before age 5 lived in fragile and conflict-affected contexts.[72] In conflict-affected countries, approximately 28 million children of primary school age were not in school in 2008, representing 42 per cent of the global number of out-of-school children.[73] Children with disabilities, and particularly girls with disabilities, are most vulnerable in these contexts and face the greatest risk of injury, abuse and neglect.



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Children in Mauritania, a country in the Sahel region of Africa, which is affected by drought and desertification. All over the world, climate change is raising concerns about food security.

The Convention provides a strong legislative framework for realizing child rights in humanitarian crises, particularly in articles 38 and 39 and through the Optional Protocols on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.

The United Nations Security Council has embraced the norms and standards set by the Convention, referring to the treaty in numerous resolutions on the situation of children in armed conflict. Security Council Resolution 1612 (2005) established the most significant monitoring mechanism on grave violations of children's rights during armed conflict; Resolution 1882 (2009) requires that parties to armed conflict engaged in patterns of "killing and maiming of children and/or rape and other sexual violence against children" are listed in the Secretary-General's reports on children in armed conflict; and Resolution 1894 (2009) addresses sexual violence as a tactic of war. The Security Council has also taken steps to protect children's rights to health services and education through resolutions adopted in 1998 and 2011.

In 2013, conflict-related violence gained additional attention with the endorsement by 122 countries of the Declaration of Commitment to End Sexual Violence in Conflict[74] and the adoption of Security Council Resolution 2106, which outlines a comprehensive approach and framework to prevent conflict-related sexual violence.[75]

By upholding children's rights in all situations, the Convention supports the objective of bridging humanitarian action and development assistance. The spirit of the Convention helps ensure that continuous investments are made to enhance communities' capacities to cope and manage change on their own in the face of shock or stress. Organizations are increasingly applying risk-informed programming approaches to protect the rights of children when confronted with volatility and shocks, whether caused by natural disasters, armed conflicts, disease outbreaks or economic upheavals. The participation of children (as stated in article 12 of the Convention) and communities – especially the most marginalized and vulnerable – in risk assessment, prevention, emergency preparedness, response and recovery can greatly enhance their ability to withstand, adapt to and recover from shocks.

"By upholding children's rights in all situations, the Convention supports the objective of bridging humanitarian action and development assistance."

Child protection

The Convention on the Rights of the Child engendered a greater focus on child protection. Prior to its adoption, efforts to protect children were largely addressed by issue-specific initiatives,[76] and work with children tended to concentrate on child survival and development in early childhood. The Convention, however, applies to "every human being below the age of eighteen years," which means that a life-cycle approach that encompasses issues of child protection – including illicit transfer and non-return of children abroad (article 11), child labour (article 32), and child exploitation and abuse (articles 34, 35 and 36) – have become much more central to development efforts.

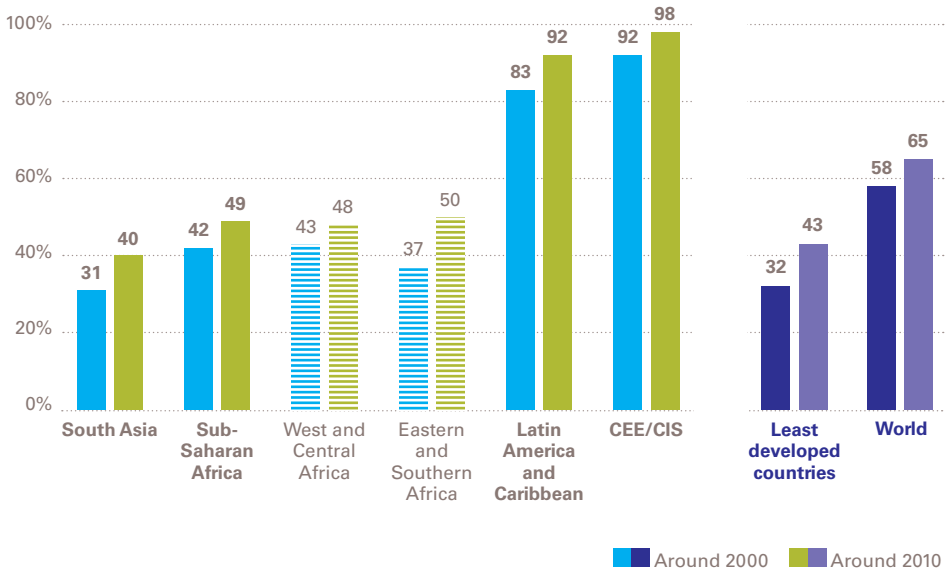
“Levels of birth registration ... remain below 50% in sub-Saharan Africa and South Asia.”

Violence against children can occur in any setting (homes, schools, online) and be perpetrated by individuals (parents or other caregivers, peers, intimate partners, authority figures, strangers) or groups. The responsibility to protect children from violence, abuse, exploitation and neglect begins at birth. The right to a name, nationality and family is fundamental: Birth registration secures a child's legal recognition, safeguards multiple rights later in life, and is enshrined in the Convention under articles 7, 8, 9 and 10. Yet levels of birth registration have improved only slowly during recent years. They remain below 50 per cent in sub-Saharan Africa and South Asia, and stand at only 43 per cent in the least developed countries (*see Figure 11*). Low levels of birth registration do not only affect the individual child – the invisibility of the children concerned also distorts development planning and budgeting.

FIGURE 11

There has been scant progress in increasing birth registration levels since 2000

Percentage of children under age 5 whose births are registered, by region, 2000 and 2010



Note: Estimates are based on a subset of 119 countries with available trend data covering 68 per cent of the global population of children under age 5. Regional estimates represent data from countries covering at least 50 per cent of the regional population. Data coverage was insufficient to calculate trends for the Middle East and North Africa and for East Asia and the Pacific.

Source: UNICEF global databases, 2014, based on DHS, MICS and other nationally representative surveys, censuses and vital registration systems, 1998–2012.

Many children around the world are routinely engaged in paid and unpaid forms of work that are not physically harmful to them. According to the latest estimates, however, approximately 150 million children aged 5–14, around 15 per cent of all children in this age group, are engaged in child labour – which is defined in article 32 of the Convention as "any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development."

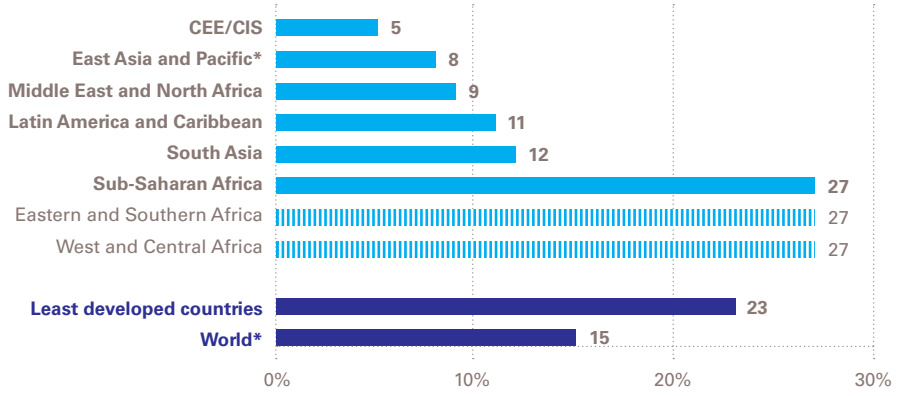
The prevalence of child labour is highest in sub-Saharan Africa (*see Figure 12*). In the least developed countries, nearly one in four children is engaged in labour that is considered detrimental to his or her health and development. In most regions, girls are as likely as boys to be involved in child labour.

> "In the least developed countries, nearly one in four children is engaged in labour."

FIGURE 12

Almost one in four children in the least developed countries is engaged in child labour

Percentage of children aged 5–14 engaged in child labour at the time of the survey, by region



* Excludes China.

Note: Estimates based on a subset of 90 countries covering 71 per cent of the population of children aged 5 to 14 in the world (excluding China, for which comparable data are not available in UNICEF global databases). Regional estimates represent data from countries covering at least 50 per cent of the regional population.

Source: UNICEF global databases, 2014, based on DHS, MICS and other nationally representative surveys, 2005–2012.

Because data availability has changed substantially, drawing a direct comparison with the world of 1990 is difficult. There are, however, indications of progress. The global number of children aged 5–17 involved in child labour declined by almost one third between 2000 and 2012.[77] There is more awareness today than there was a generation ago of what constitutes hazardous work and the worst forms of labour for a child, and there is greater consciousness of the need to protect children and adolescents from violence, abuse and exploitation both inside and outside the home.

The Convention's influence on child protection extends to the work of the United Nations on children and armed conflict. The groundbreaking report on this issue presented by Graça Machel to the General Assembly, in 1996, relied heavily on the Convention.[78] The Machel report led to several important developments, including: the appointment of a Special Representative on children and armed conflict; the General Assembly's adoption, on 25 May 2000, of two Optional Protocols to the Convention on the Rights of the Child – on the involvement of children in armed conflict, and on the sale of children, child prostitution and child pornography – which have been ratified by 156 and 168 States parties, respectively;[79] and to 10 separate Security Council resolutions between 1999 and 2014.[80]

Violence against children, in all its myriad and distressing forms, has become a paramount concern. The 2006 United Nations Secretary-General's Study on Violence against Children was the first comprehensive global study of the issue. To promote dissemination of the study and ensure effective follow-up to its recommendations, the study called for the appointment of a Special Representative to the Secretary-General on Violence against Children. More recently, in September 2014, UNICEF released a study on violence against children. The study is the largest compilation of statistics on this issue to date.

While caregivers play a pivotal role in protecting children, they may sometimes be the perpetrators of violence against children. Although household surveys indicate that the majority of adults think physical punishment is not needed to properly raise children, the same surveys show that many children – from a very early age – are subjected to violent forms of discipline at home, involving physical punishment and psychological aggression (*see Figure 13*). These routine instances of violence can have lasting effects on a child and are violations of article 19 of the Convention.



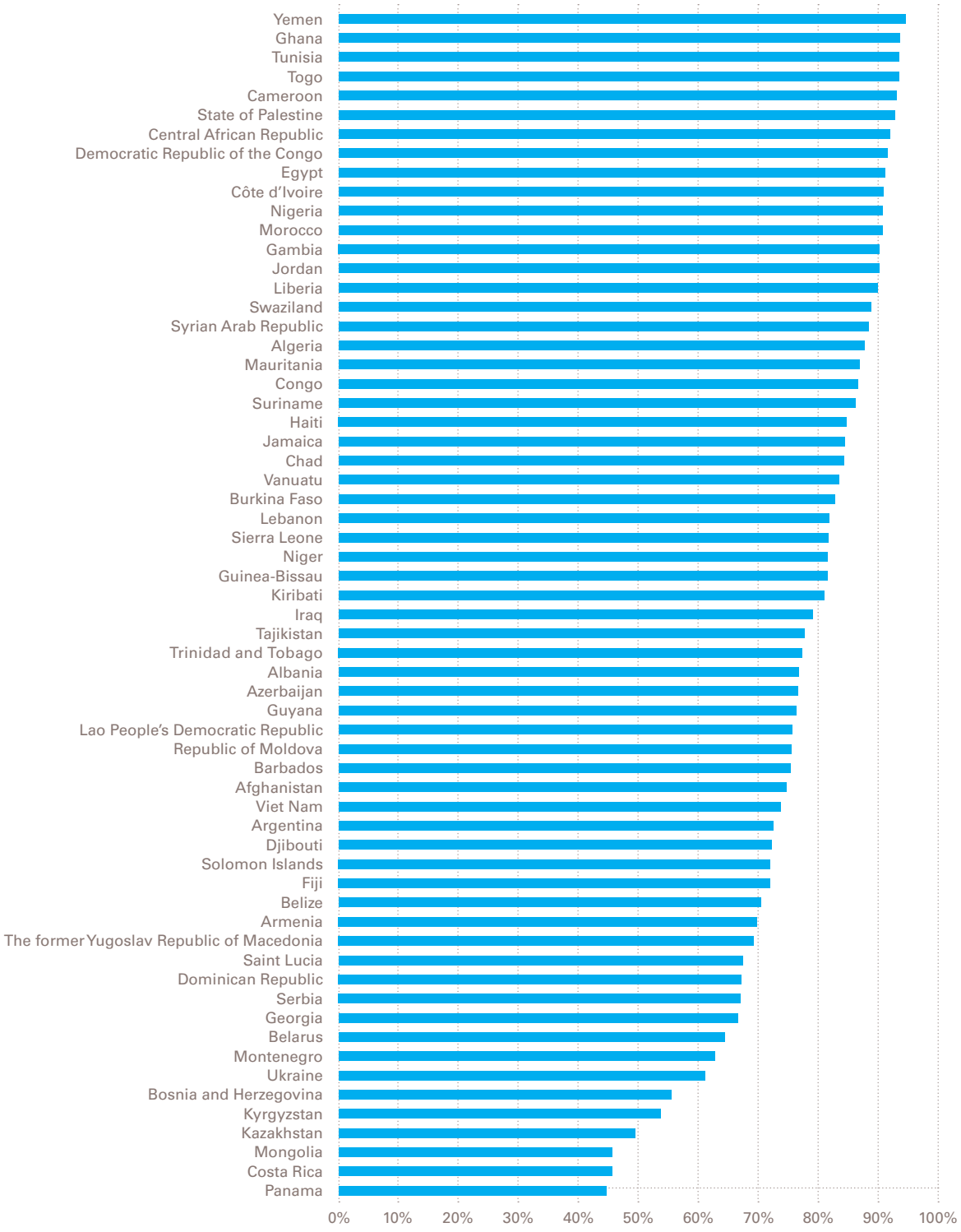
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All forms of violence against children are unacceptable. A boy, 6, from an indigenous Garifuna community on the porch of his home in Pearl Lagoon, Nicaragua.

FIGURE 13

Violent discpline appears to be the rule, rather than the exception

Percentage of children aged 2–14 who experienced any form of violent discipline (psychological aggression or physical punishment in the past month)



Note: Data for Belarus differ from the standard definition. Data for Fiji, Kiribati and Solomon Islands refer to adult reports of whether they have used physical discipline on their children. Data for Kyrgyzstan refer to children aged 3 to 14 years. Data for Panama refer to children aged 1 to 14 years. For Argentina, the sample was national and urban (municipalities with a population of more than 5,000), since the country's rural population is scattered and accounts for less than 10 per cent of the total.

Source: UNICEF global databases, 2014, based on DHS, MICS and other nationally representative surveys, 2005–2013.

Marriage before age 18 is a fundamental violation of child rights, though it is still not envisaged as such by many cultures. While not explicitly stated in the Convention, it is considered one of the "traditional practices prejudicial to the health of children" (article 24). Child marriage is linked to the denial of several other rights, including the right to health, physical and mental development, education, protection against discrimination, freedom of expression and information, and protection from all forms of abuse.[81] It is seldom a matter of choice for the child (usually a girl) concerned and often involves withdrawal from school, social isolation and limited opportunities for gaining economic independence through work. The practice remains all too common: Globally, more than 700 million women alive today were married before their eighteenth birthday. More than one in three of these child brides, or about 250 million, entered into union before age 15.[82]

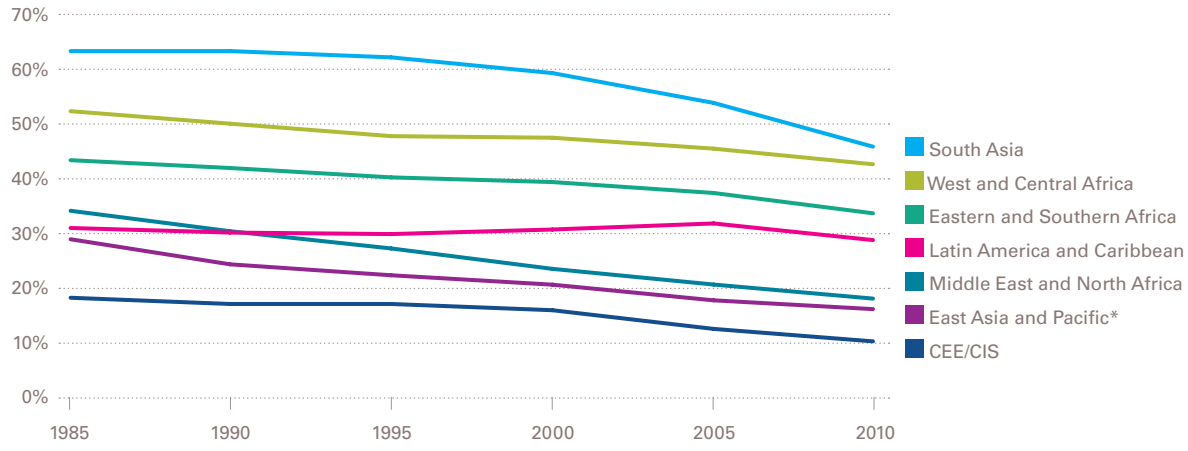
There has, however, been some progress in reducing the prevalence of child marriage in all regions over the past three decades. The fastest regional progress has been made by the Middle East and North Africa (*see Figure 14*). South Asia still has the highest regional prevalence of child marriage, but the data show that in recent years the rate has dipped below 50 per cent.

Child marriage routinely leads to early pregnancy, although adolescent girls also often become mothers outside marriage. Early pregnancy carries great risks: In low- and middle-income countries, complications from pregnancy and childbirth are a leading cause of death among girls aged 15–19.[83] The latest figures from

FIGURE 14

Child marriage is still common, especially in South Asia and sub-Saharan Africa, but its prevalence is declining

Percentage of women aged 20–24 years who were married or in union by age 18, by region, 1985 to 2010



*Excludes China

Note: Estimates are based on a subset of countries covering at least 50 per cent of the global population of women aged 20 to 24 years. Regional estimates represent data covering at least 50 per cent of the regional population. Data coverage is below 50 per cent for East Asia and the Pacific region due to the lack of comparable data on child marriage for China in UNICEF global databases.

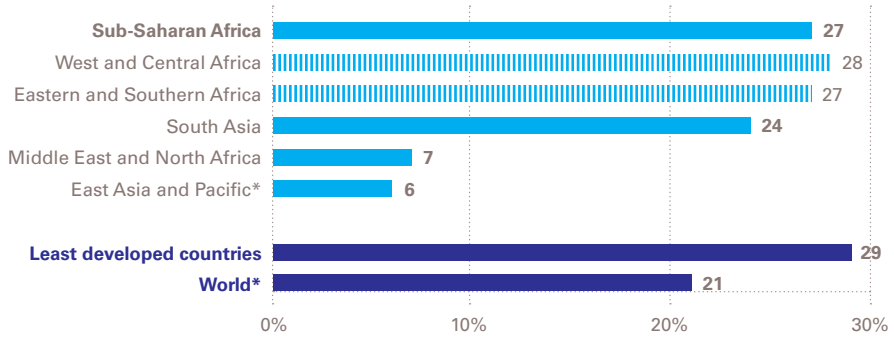
Source: UNICEF global databases, 2014, based on DHS, MICS and other nationally representative surveys, 2005–2013.

population-based surveys indicate that just over one in five girls worldwide (excluding China) give birth before the age of 18. The proportion rises to almost one in three girls in the least developed countries (*see Figure 15*).

FIGURE 15

More than one woman in five was a mother before she turned 18

Percentage of women aged 20–24 who gave birth before age 18



* Excludes China.

Note: 'Percentage of women aged 20–24 who gave birth before age 18' is a standardized indicator from population-based surveys that captures levels of fertility among adolescents up to age 18. The data are based on the answers of women aged 20–24, whose risk of giving birth before age 18 is behind them. Data coverage was insufficient to calculate the regional average for CEE/CIS and Latin America and Caribbean regions.

Source: UNICEF global databases, 2014, based on DHS, MICS and other nationally representative household surveys, 2008–2012.

HIV and AIDS

The HIV and AIDS pandemic has impacted heavily on children and has affected all their rights – civil, political, economic, social and cultural. In 1989, HIV and AIDS were relatively unknown but would cause utter devastation during the years that followed, particularly in Eastern and Southern Africa. The impact reversed hard-won gains in life expectancy, left millions of children orphaned, and meant that many babies started life infected with HIV. A powerful grass-roots movement grew throughout the 1990s, involving activists, scientists and health providers, and resulted in the creation of the Global Fund to Fight AIDS, TB and Malaria in 2002 and the United States President's Emergency Plan for AIDS Relief in 2003. In the subsequent decade, remarkable headway has been made in reducing the number of children newly infected with HIV. New HIV infections among children globally have declined by nearly 60 per cent from a peak of about 580,000 in 2002 to 240,000 in 2013, mainly due to the expansion of services for preventing mother-to-child transmission of HIV.[84]

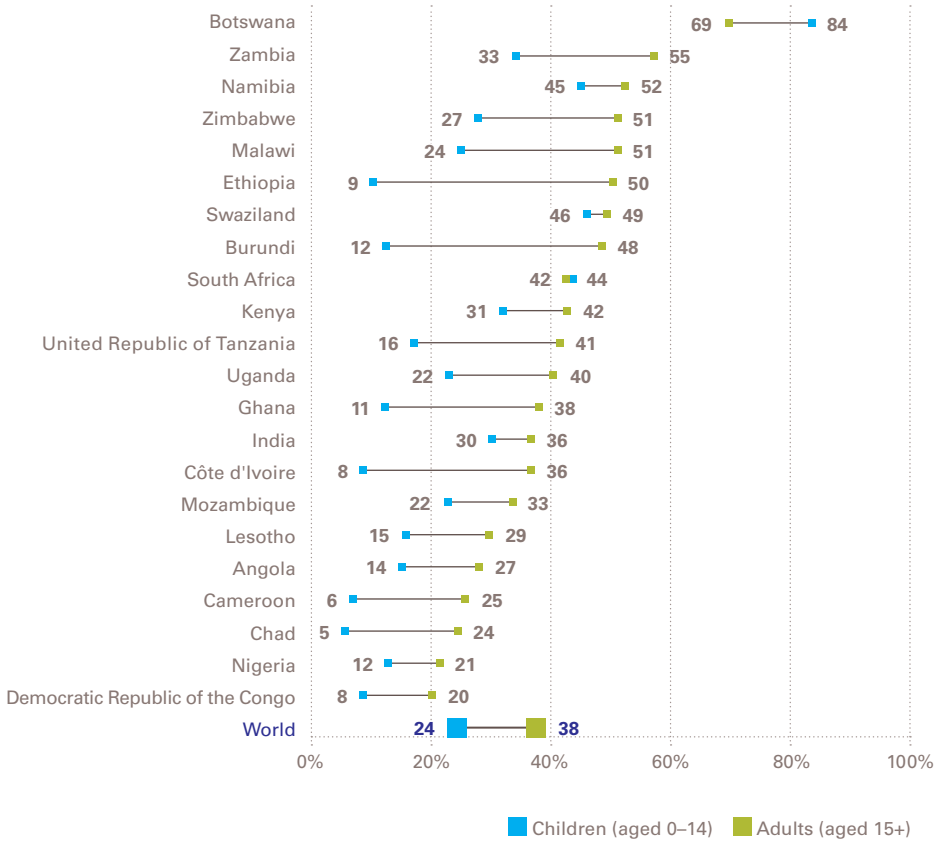
Despite this success, large numbers of children continue to be infected with HIV. Not enough children are diagnosed and, even when they are and treatment is available, there is a significant disparity between adults and children in access to antiretroviral treatment (*see Figure 16*).

> “In 2013 alone, **250,000** older adolescents, aged 15–19, were newly infected with the virus.”

FIGURE 16

Children are falling behind adults in access to antiretroviral treatment for HIV

Percentage of adults (aged 15+) and children (aged 0–14) living with HIV and who are receiving ART, in 22 Global Plan priority countries and worldwide, 2013



Note: The coverage estimate is based on the estimated unrounded number of children living with HIV receiving antiretroviral treatment (ART). This has changed from previous years, where coverage was defined as the percentage of children living with HIV and eligible for ART based on WHO eligibility treatment criteria who were receiving ART.

Source: Joint United Nations Programme on HIV/AIDS, *The Gap Report*, July 2014, pp. A65–A74.

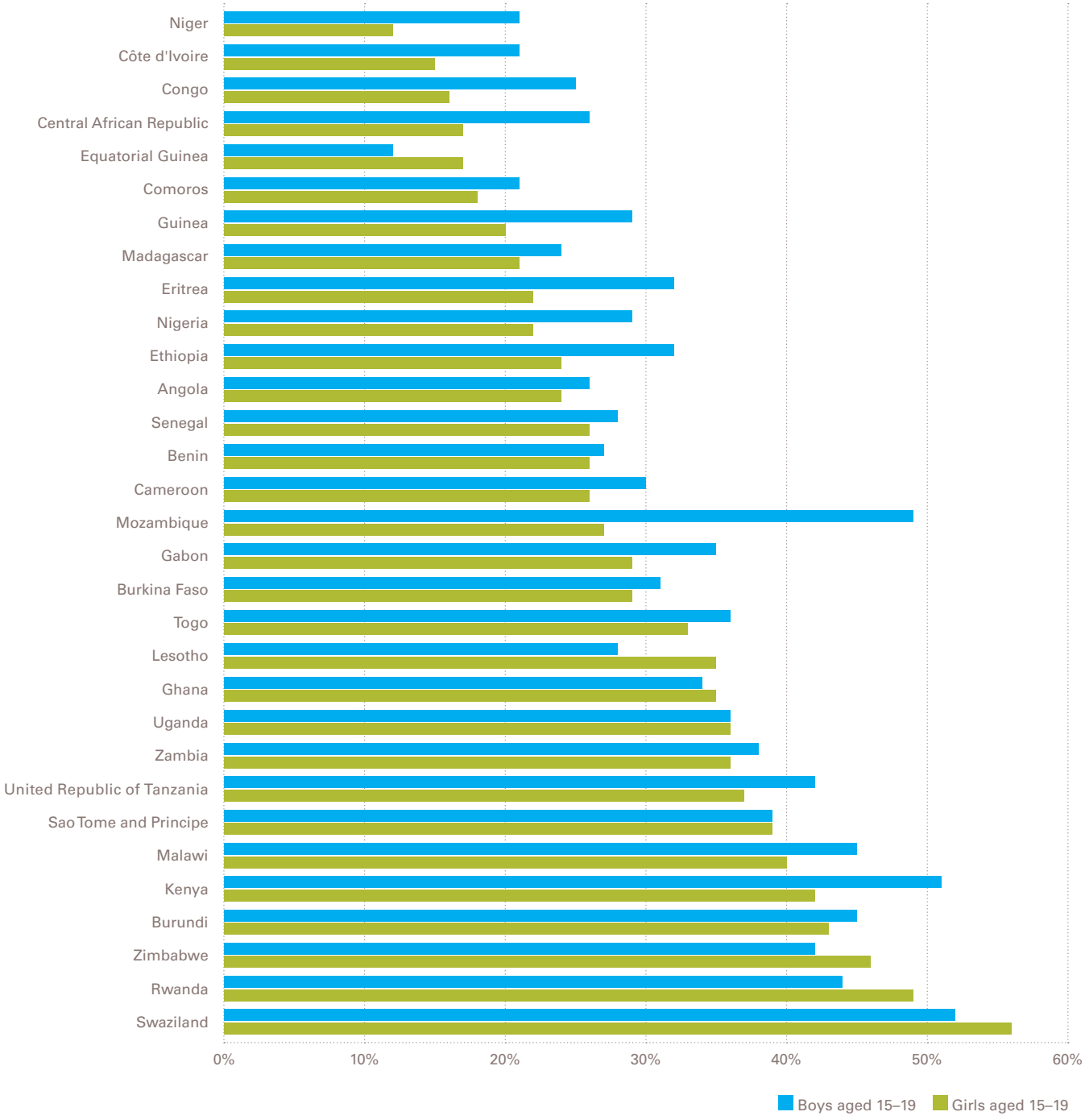
Without antiretroviral treatment, more than 50 per cent of HIV-infected children die before age 2 of common childhood diseases such as pneumonia and diarrhoea, and most die before their fifth birthday.[85]

Adolescents have been largely left behind in the international AIDS response. In 2013 alone, 250,000 older adolescents, aged 15–19, were newly infected with HIV, and from 2005–2013, the estimated number of AIDS-related deaths among that age group has not decreased as seen in other age groups.[86] HIV is estimated to be the second largest contributor to adolescent (aged 10-19) mortality globally.[87] Household surveys in select countries in sub-Saharan Africa found that most adolescents have insufficient correct and comprehensive knowledge about HIV, with girls and young women in most countries being even less knowledgeable about HIV transmission and prevention than young men (*see Figure 17*).

FIGURE 17

Most adolescents in sub-Saharan Africa do not know enough about HIV

Percentage of adolescent girls and boys (aged 15–19) with comprehensive, correct knowledge of HIV and AIDS*, in selected sub-Saharan African countries, 2008 to 2013



* Comprehensive, correct knowledge about HIV and AIDS is defined as correctly identifying the two major ways of preventing the transmission of HIV (using condoms and limiting sex to one faithful, uninfected partner), rejecting the two most common local misconceptions about HIV transmission, and knowing that a healthy-looking person can transmit HIV.

Source: UNICEF global HIV and AIDS databases, based on MICS, DHS and other nationally representative household surveys, July 2014.

Improving data to promote child rights

During the past 25 years, the quantity and quality of data on children have increased tremendously. Before the mid-1990s, critical gaps in data hindered accurate and effective analysis of the situation of children and women. Around 1990, for example, only 29 low- and middle-income countries had trend data on child malnutrition, a basic indicator of children's health and well-being. Today, those data are available for 107 countries – almost four times as many as in 1990.

The availability of statistics on children and women improved after the advent of the Convention on the Rights of the Child and the adoption in 1990 of the World Summit for Children goals for 2000. The Millennium Development Goals (MDGs) and 'A World Fit for Children' generated time-bound commitments that required even more data, comparable between countries and over time, with which to monitor progress.

In 1995, UNICEF initiated the Multiple Indicator Cluster Surveys (MICS) to facilitate monitoring of the 1990 World Summit for Children goals and to support countries in their efforts to fill important data gaps. These surveys have revolutionized countries' ability to document and understand the situation of women and children. Undertaken by national statistics authorities, they enable countries to produce statistically sound and internationally comparable estimates on a range of indicators in the areas of health, education, nutrition, water supply and sanitation, child protection, and HIV and AIDS.



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Improving data to promote child rights (cont'd)

Over the course of two decades, UNICEF has supported more than 250 MICS in more than 100 countries. In addition to low-income countries, the MICS programme covers a number of middle-income countries and even some high-income countries.

UNICEF works closely with other household survey programmes, in particular, the Demographic and Health Surveys (DHS), to harmonize survey questions and methods of analysis. Together, DHS and MICS are the largest single source of data for monitoring the MDG targets as well as numerous other international goals and commitments related to women and children, including the Convention on the Rights of the Child, the Countdown to 2015 on Maternal, Newborn and Child Survival, the Abuja targets for malaria and 'A World Fit for Children'.

A significant feature of household surveys such as DHS and MICS is that the data can be disaggregated by age, sex, wealth, residence, education, ethnicity and religion, or combinations thereof. Disaggregated data allow national governments and organizations such as UNICEF to identify the most vulnerable and marginalized children so that programmes and policies can reflect their needs and advance their rights.

To improve the reach, availability and reliability of data on the deprivations that affect children and their families, the tools for data collection, analysis and dissemination are regularly modified and new ones are developed. The number of topics covered by MICS, for example, has increased from 15 in 1995 to 51 in MICS5, 2012–2014. Since the early 2000s, inter-agency technical expert groups have played an important role in the development of new tools and methods to collect and analyse data.

Recent discussions on a 'development data revolution' recognize data as central to the success of the post-2015 development agenda – and that data are vital to promote social accountability, reduce disparities and create a better future for all children.

Increased investments are needed to strengthen routine data collection systems, including civil registration, vital statistics and health, and education information systems. These complement periodic household surveys, which provide development data at the outcome and impact level for the entire population. Whereas finance ministries often readily fund economic-based surveys – such as those related to income and expenditure, household budget or labour force participation – surveys on social indicators, such as MICS and DHS, also require predictable funding and need to become an integral part of national statistical development strategies.

HAS THE CONVENTION ON THE RIGHTS OF THE CHILD MADE THE WORLD A BETTER PLACE FOR CHILDREN?

The world today is not what we would wish it to be in terms of guaranteeing children's rights. But progress has been made in many important areas, which means that a child born now has better prospects overall than did one born in 1989. But how much of this can be attributed to the Convention on the Rights of the Child?

The Convention changed the international landscape for children. It holds out a vision of how childhood should be, defining it as a time separate from adulthood in which children are free to grow, learn and play, and in which they are both protected and respected. The Convention reaffirms that children have inalienable rights and that they are to be actors in achieving those rights.

The Convention sets standards for the treatment, care, survival, development, protection and participation that are due to every individual under 18, while its core principles of "the best interests of the child" and respect for the views of children have been profoundly influential, increasingly permeating the public life of nations. Another key principle, non-discrimination, has led to a concentration on gender equality throughout the life cycle, as well as to enhanced efforts to reach all children, everywhere – including those who have disabilities, belong to minorities or indigenous groups, or live in relatively inaccessible areas.[88]

The Convention stresses the fundamental role of the family in the growth and well-being of children, recognizing that a loving and understanding family environment is vital to a child's development. Arguably, its greatest contribution has been in transforming the public perception of children. Whereas children previously tended to be seen as passive objects of charity, the Convention identified them as independent holders of rights. States parties are no longer just given the option to pursue policies and practices that are beneficial to children – they are required to do so as a legal obligation.

The Convention on the Rights of the Child emphasizes the fundamental role of family in children's well-being. As an infant, Zoka was placed in a residential institution in Belgrade, Serbia. Now 6, she is being raised by a foster mother.

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As stated in article 4, "States Parties shall undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the present Convention." This is not a distant principle or aspiration – it is something for which every State that has ratified the Convention must take responsibility through its interaction with the Committee on the Rights of the Child.

The Committee is an international body of 18 independent experts tasked with monitoring implementation of the Convention by its States parties. Each country must submit an initial report two years after acceding to the Convention, then submit a follow-up report every five years. The Committee responds with its concluding observations, which contain concerns and recommendations that the country is invited to address over the succeeding five-year period. In addition, the Committee reviews reports from States parties to the Convention's three Optional Protocols – on the involvement of children in armed conflict; on the sale of children, child prostitution and child pornography; and on a communications procedure (*see Box, page 44*) – as well as issuing General Comments on key issues to guide States in implementing children's rights.

The progress in the world's treatment of children that has been charted, statistically and otherwise, in these pages has occurred over a period in which countries have been directly and publicly held to account for their policies and practices. Improvements in national provisions for children are often made in direct response to observations of the Committee, as is indicated by many of the positive examples cited in this section of the essay, which concentrates on four main areas: legislative reform, independent institutions, child-focused budgets and participation.[89] These represent just a selection of the key measures that form the foundation of efforts to realize all the rights and principles enshrined in the Convention, and therefore merit special attention.

In addition to the Committee on the Rights of the Child, a variety of other mechanisms contribute to accountability for child rights, including the Special Representatives of the Secretary-General on Violence against Children, and Children and Armed Conflict; Special Procedures of the Human Rights Council, including the United Nations Special Rapporteurs on the sale of children, child prostitution and child pornography, and education; and the Universal Periodic Review of the Human Rights Council.

Other global and regional instruments that have been inspired or guided by the Convention include the International Labour Organization Conventions 138 (on minimum age) and 182 (on worst forms of child labour), and such regional instruments as the African Charter on the Rights and Welfare of the Child and European Union and Council of Europe standards. National courts have upheld principles of the Convention, and the new Optional Protocol on a communications procedure establishes an additional resource mechanism for violations of child rights.

Establishing a communications procedure for the Convention on the Rights of the Child: The third Optional Protocol

The Optional Protocol to the Convention on the Rights of the Child on a communications procedure was adopted by the United Nations General Assembly on 19 December 2011. This third Optional Protocol is designed to ensure that children have access to legal remedies when they have been unable to obtain justice in their own countries, and establishes a complaints procedure under the Convention on the Rights of the Child that is similar to those previously established for other core human rights treaties.

The Optional Protocol on a communications procedure is open for signature by any State that has signed, ratified or acceded to the Convention on the Rights of the Child or the Optional Protocols to the Convention on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography. As of 14 September 2014, it had been ratified by 11 States parties.[1]

Under the communications procedure, an individual child, groups of children or their representatives from any country that is a Party to the Optional Protocol can bring complaints directly to the Committee on the Rights of the Child concerning violations of their rights under the Convention or the other two Optional Protocols – after they have first exhausted domestic legal remedies, or where the application of the remedies is unreasonably prolonged or unlikely to bring effective relief. The Optional Protocol allows the Committee to open an investigation of grave or systematic violations of children's rights by a State party upon receipt of reliable information. Participating States can also bring complaints against each other when they fail to live up to their child rights obligations under the Convention and its Optional Protocols, although the Office of the High Commissioner for Human Rights notes that inter-state complaints provisions of several human rights treaties have never been used.[2]

The Optional Protocol recognizes that national governments have the primary responsibility for respecting and fulfilling child rights. This new instrument aims to reinforce and complement national and regional mechanisms that allow children to submit complaints for violations of their rights, and encourages States parties to develop child-sensitive procedures that enable children to access effective remedies at the domestic level.[3] It strengthens the international system of accountability for human rights, and is a major step towards the full protection of children's rights and the participatory approach of the Convention.

1 United Nations, Optional Protocol to the Convention on the Rights of the Child on a communications procedure, A/RES/66/138, United Nations Treaty Collection, Chapter IV, Human Rights, 2014, <https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-d&chapter=4&lang=en>, accessed 14 September 2014.

2 Office of the United Nations High Commissioner for Human Rights, Human Rights Bodies – Complaints Procedures, <www.ohchr.org/EN/HRBodies/TBPetitions/Pages/HRTBPetitions.aspx>, accessed 8 August 2014.

3 United Nations, Resolution adopted by the General Assembly [*on the report of the Third Committee (A/66/457)*], A/RES/66/138, United Nations, New York, 27 January 2012, p. 2.



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Usher, 7 (in a red shirt and yellow sandals), plays football with his cousins and friends; he attends primary school in his village of Ponta Nova, Guinea-Bissau. Child rights are universal, regardless of children's ability or disability.

Legislative reform

Countries that have ratified the Convention on the Rights of the Child have committed to bringing their national legislation in line with its standards and principles. Many States parties have embarked on this process and have made, and continue to make, impressive progress in harmonizing their legislative frameworks with the Convention – whether through overarching laws on children's rights or child protection, or through mainstreaming children's rights in sector-specific laws.

Some countries have adopted constitutions with provisions dedicated to protecting children's rights. Others have enacted children's codes or children's acts, or laws on specific issues such as adoption, child labour, child trafficking, female genital mutilation and the protection of adolescent mothers. Some have amended their criminal codes to introduce provisions designed to combat sexual exploitation of children and punish perpetrators. In the area of juvenile justice, important steps have been taken in many countries to give special attention to the rights of children in conflict with the law.

Among the many promising examples:

- **Viet Nam** adopted the amended Law on the Protection, Care and Education of Children in 2004, following concerns expressed by the Committee on the Rights of the Child.[90] The Committee has since welcomed not only this law, but also other Vietnamese laws promoting and protecting child rights,

> “Today, there are more than **200** [independent human rights institutions for children] operating in more than **70** countries.”

including those on human trafficking, disability and adoption. It has also welcomed the acknowledgement of children’s right to be heard in judicial and administrative proceedings. In addition, Viet Nam adopted the Law on Persons with Disabilities and the Law on Adoption in 2010.[91]

- **Tunisia’s** new Constitution, passed by the National Constituent Assembly in January 2014, includes article 47 dedicated to child rights. This explicitly recognizes that the child is a subject of rights, that the family and the State must guarantee these rights without discrimination, and that the child’s best interests must take precedence in any decision concerning him or her.[92]
- **Angola’s** current Constitution makes specific reference to the rights of children, in particular to the concept of the best interests of the child. In 2012, the landmark Children’s Act was passed, on which UNICEF had collaborated closely. This enshrines key provisions of the Convention in national law and integrates the 11 ‘Commitments for Angolan Children’.[93]
- In its review of **Bangladesh** in 2009, the Committee on the Rights of the Child recommended that the 1974 Children’s Act be revised.[94] Bangladesh has now passed the new Children’s Act, which is based on the Convention. The Act defines childhood as lasting until 18 years of age; provides a comprehensive legal framework for preventing and responding to abuse, violence and exploitation; and legitimizes budgetary outlays on child protection systems and justice for children.[95]
- Regarding **Norway**, in 2010, the Committee on the Rights of the Child noted the country’s ongoing activities to amend laws or adopt new ones in order to bring legislation in full harmony with the Convention.[96]

Independent human rights institutions for children

When the Convention on the Rights of the Child was adopted in 1989, less than a handful of independent human rights institutions for children existed in the world. Today, there are more than 200 operating in more than 70 countries, including ombudspersons, child commissioners, mediators, and child rights or human rights commissions.

The role of these independent public bodies is to defend children’s best interests and champion their rights in policy and practice. They monitor the actions of governments and other entities, receive complaints, provide remedies for violations, and offer a space for dialogue about children in society and between children and the State. But they face numerous challenges, whether because their independence is threatened, their recommendations ignored or their focus on child rights questioned for political or budgetary reasons. Their ability to carry out their mandate effectively depends upon the constant vigilance and commitment of all in the field.[97]

These institutions have taken many actions to bring about change at the national level; the following list provides examples from various countries:

- In **Peru**, the Defensoría del Pueblo (Office of the Ombudsperson) intervened in 2008, when the relevant authorities failed to act upon reports of the sexual abuse of children by a teacher. The teacher was subsequently prosecuted, together with those who had obstructed the judicial process.[98]
- In **Azerbaijan**, the Commissioner for Human Rights has made a number of proposals to the National Assembly since 2011 to provide support to poor families, promote children's deinstitutionalization and protect children's rights in cases of divorce.[99]
- In **El Salvador**, the Procuraduría para la Defensa de los Derechos Humanos (Attorney for the Defense of Human Rights) has set up juvenile dissemination units for human rights, each comprising around 300 volunteers aged 15–25. The activities of the units have evolved from focusing on human rights promotion to monitoring state action.[100]
- In **Indonesia**, the Komisi Nasional Hak Asasi Manusia (National Commission for Human Rights), in 2005, analysed proposed law reforms related to citizenship from a child rights perspective and recommended several changes regarding children whose fathers are not Indonesian. The revised law on nationality adopted in 2006 addresses this concern.[101]

> "[Independent human rights institutions for children] have taken many actions to bring about change at the national level."



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Boys play on a makeshift cart in the Bogra district, northern Bangladesh. Low lying and densely populated, the country is prone to annual flooding; around 3 million people were affected by monsoon floods triggered by heavy rainfall in September 2014.



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Six-month-old Answer is a healthy child. Exposed to HIV in the womb, he has been treated with antiretrovirals since birth and remains HIV free.

Child-focused budgeting

Under article 4 of the Convention, States parties are obligated to invest in children to the maximum extent of their available resources. As a result, increasing numbers of countries are designing budgets with children specifically in mind. In addition, the Committee on the Rights of the Child, with the support of children's organizations, is working on a General Comment on public spending to realize children's rights that will clarify the policy implications of article 4.[102]

> "Initiatives to introduce child-focused budgeting are being implemented in countries across the world."

Initiatives to introduce child-focused budgeting are being implemented in countries across the world. These include efforts to analyse budgets from a child rights-based perspective, ensure equitable resource allocation and expenditure, and raise public awareness of the importance of investing in children. Among the many positive examples:

- In **Jordan**, a child budget analysis led to the development, in 2011, of a five-year Child Budget Engagement Plan that serves as guidance for the national budgeting process. The Ministries of Education, Health, Labour and Social Development have integrated child-friendly budgeting into their annual planning and budgeting. Moreover, government budget allocations for children are distinguished in Budget Law Table No. 22, as of 2012. There is a particular focus on service delivery for children with disabilities and other vulnerable children – identified as an area for improvement by the Committee on the Rights of the Child in 2006.[103]
- In **Bangladesh**, nine social sector ministries developed a Child-Focused Budgeting Framework, which was launched in 2013 and is the first step towards child-sensitive budgeting, as urged by the Committee on the Rights of the Child in 2009. The Ministry of Finance is committed to integrating child-sensitive budgeting into the budgetary framework for the coming fiscal year.[104]

- In **Mexico**, the annual federal budget includes an annex that shows the proportion of each line in the budget dedicated to children. Throughout the year, child-related expenditures are automatically coded and published online as part of the annual budget process.[105]

- In **South Africa,** the Children's Institute has worked with partners since 2007 to monitor the Government's budget for implementing the Children's Act. This has involved annual analyses of allocations and spending in the budgets of the nine provincial departments of social development. Under the Children's Act, these departments are required to provide and fund a range of care, protection and social services for children, especially the most vulnerable.[106]

Participation

Respect for the views of the child is one of the four guiding principles of the Convention identified by the Committee on the Rights of the Child. Along with other articles covering freedom of expression (13), thought, conscience and religion (14), association and peaceful assembly (15) and access to information (17), article 12 states that a child capable of forming his or her own views must have the "the right to express those views freely" in all matters affecting the child and for those views to be "given due weight in accordance with the age and maturity of the child". This has had a transformative influence on how children are perceived, and on how they are treated by legal proceedings,[107] governments and societies.

> "Respect for the views of the child is one of the four guiding principles of the Convention."

Participation is considered separately in this section but, in reality, it also plays a central part in all three of the preceding areas considered in this chapter – in legislative reform, child-focused budgeting and the work of independent human rights institutions for children, as well as in all programmatic areas highlighted in the earlier sections of this publication.

Significant progress has been made in promoting the participation and self-expression of children all over the world. In particular, the right of children to be heard in matters that affect them has been increasingly recognized and a growing number of countries have made efforts to incorporate this right to be heard into administrative and legal proceedings. For instance, with the support of UNICEF, countries have established children's parliaments that play an active role in addressing children's issues in political and legislative deliberations.

However, the Committee on the Rights of the Child has expressed concern that even where there are opportunities for children to be heard – and this is often challenged by traditional cultural attitudes, as well as political and economic barriers – the implementation is at times inadequate and of low quality. It has also noted that schools often lack respect for the right of children to be heard.[108] Younger children, girls and children belonging to vulnerable, marginalized and disadvantaged groups are much less likely to be heard.

> “There is manifest need ... to develop better indicators against which to monitor and measure the impact of participation by boys and girls.”

In 2009, the Committee’s General Comment No. 12 on the Right of the Child to Be Heard provided guidance to governments on how to implement the principle of children’s participation. There is a manifest need, however, to develop better indicators against which to monitor and measure the impact of participation by boys and girls – both how it happens and the benefits that flow from it. To this end, The Concerned for Working Children, Plan, Save the Children, UNICEF and World Vision developed a toolkit for monitoring and evaluating children’s participation.[109]

Some notable examples of child participation include:

- In **Jamaica**, the Office of the Children’s Advocate launched a Children’s Advisory Panel to facilitate the participation of children in its work. Panellists, who are recruited from traditional and non-traditional high schools, and public and private primary schools, provide their opinions on policies, programmes and issues that affect children.[110]
- In **Egypt**, in 2013, more than 6,200 young people in 15 governorates gained increased knowledge and skills for active citizenship through a civic education programme implemented in partnership with the Ministry of Youth and Sports. The programme involved workshops covering rights and responsibilities, participation and active citizenship. An additional 2,100 adolescents participated in a life skills and employability programme supported by UNICEF.[111]



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Governments are obligated to ensure to the maximum extent possible children’s survival and development. A caregiver with two young children at the Sayariy Warmi early childhood development centre in Sucre, Plurinational State of Bolivia.



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The protracted crisis in the Syrian Arab Republic impacts upon children's learning and well-being – and their futures. Syrian girls attend morning classes at a child-friendly school in the Za'atari refugee camp, Jordan; boys attend in the afternoon.

- In **Nepal**, new policy provisions now promote the participation of girls and boys at key levels of the local government process. For example, some 76,000 child club representatives (half of whom are girls) now have a voice in the Government's 35,000 ward citizens forums nationwide.[112]
- In **Uganda**, UNICEF has supported the development and implementation of 'U-report', an innovative Short Message Service-based system that enables young Ugandans to report on development issues that are important to them. U-report now reaches more than 263,000 Ugandans and is helping to connect them to national planning and policymaking processes.[113]
- In **Rwanda**, children with disabilities are now included in all decentralized-level child-organized forums, ensuring their participation and consideration of their views. This was a direct result of the discussions on equity between children and policymakers at the seventh national Children's Summit, in 2012, supported by UNICEF. The Children's Summit highlighted the voices and concerns of children living with disabilities, and promoted support for electing children with disabilities in children's forums at the village, cell, sector and district levels. Today, one out of every six children elected to the children's forums is a child living with a disability.[114]

A BETTER FUTURE FOR ALL IS WITHIN REACH

The past 25 years have proved that change is possible. Children born today have a far better chance to survive, thrive and reach their potential than children born before 1989. Much of that is due to the emphasis the Convention places on children, enabling the world to zero in on what children are entitled to, rather than what adults think they need.

> "Children born today have a far better chance to survive, thrive and reach their potential than children born before 1989."

The Convention is not just a historic document. It is a living force for change that directs and guides everyone from governments and international agencies to teachers and parents. But it is equally plain that further change is still required – that we are far from having achieved the child-friendly world that is promised by the Convention.

Population dynamics are changing, while human-made and natural disasters, conflicts and climate change are putting hard-won gains at risk. Furthermore, large disparities remain within and between countries. Even as several targets have been achieved in terms of global or national averages, often the most disadvantaged and most vulnerable children have been left behind.

The Convention does not deal in averages or aggregates: The rights it enumerates and elucidates apply to every child in the human family, wherever and into whatever circumstances they happen to be born. Its message to the next phase of human development is clear: No child can be left out or stranded beyond the reach of the latest 'quick win'. We must reach out to the poorest and most vulnerable, closing the equity gaps so that the progress made is universally shared and equitable.

“The Convention does not deal in averages or aggregates: The rights it enumerates and elucidates apply to every child in the human family.”

As the world marks this anniversary, it is vital that we do more than simply take stock of successes and failures. As important as it is to achieve universal ratification of the Convention, we must also continue our work for universal implementation. We cannot afford to continue at the same pace for the next 25 years. Unless efforts are stepped up, the rights of millions of children will continue to be violated.

When we come together to focus commitments, investments and actions on the right interventions, true progress ensues. The outcomes detailed in this essay on child survival, education and water quality, among other issues, are evidence of that. But we cannot afford to be satisfied with these partial successes when we know that millions of children are excluded from their benefits.

Let us then rededicate ourselves to the tasks ahead and to fulfilling the vision of the Convention. There is an urgent need, for example, to scale up action and advocacy to end preventable maternal and child deaths, with a particular focus on providing high-quality care around the time of birth. This can exponentially increase the chances of survival for both mothers and children, and could save the lives of millions of newborns each year.

We should also invest in the early years of a child's life, when the brain is growing rapidly. The best start in life is secured by keeping children healthy and nourished during early childhood, protecting them from violence and abuse, and giving them the stimulation they need to set forth on a path of success in school and in life.

As children progress into adolescence, the most urgent priority is to end the routine and normalized violence that they face on a daily basis. The evidence is stark: Violence against children is everywhere – in schools, in homes and in communities – and it is much more common and more visible than we may typically recognize.

These are but a few of the myriad challenges facing the world if children's rights are to be guaranteed. They may seem formidable, but the solutions are within reach. Some of those come from technology and some from long experience working on the problems of human development – a generation's worth of trial and error bearing fruit. Increasingly, novel answers are being found outside the traditional paradigms, as social movements and communities – including young people – innovate and create solutions to local problems that have the potential to resonate around the world.

But renewed commitment from the world as a whole is still required. Governments need to put in place the resources needed to make good on the promises their nations have made to children as part of the Convention. They need to make child-friendly budgets a universal reality rather than a 'pilot scheme' that is marginalized in times of crisis. They need to recognize that a society in which all children's rights are fulfilled will be a healthier and happier one for every citizen.

In rededicating ourselves to making the vision of the Convention a reality, we also make a commitment to a better future for us all.



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More child rights factographs can be downloaded at <www.unicef.org/crc/index_73549.html>.

NOTES

1 United Nations Treaty Collection, Convention on the Rights of the Child, Chapter IV, Human Rights, Resolution 44/25 of 20 November 1989, <https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&lang=en>, accessed 14 September 2014. Of the three United Nations Member States that have not ratified the Convention, both Somalia and the United States of America have signed, which constitutes a preliminary endorsement of the Convention but does not create binding legal obligations. The third Member State, South Sudan, became independent in 2011.

2 United Nations Department of Public Information, *Nelson Mandela in his Words: Excerpts from speeches 1961–2008*, United Nations, New York, June 2010, pp. 7, 37.

3 BBC Archive, 'News: Apartheid laws scrapped', 1 February 1991, <www.bbc.co.uk/archive/apartheid/7222.shtml>, accessed 31 August 2014; and United States Department of State, 'Archive: The end of apartheid', <http://2001-2009.state.gov/r/pa/ho/time/pcw/98678.htm>, accessed 31 August 2014.

4 United Nations Security Council, 'Letter Dated 15 December 1999 from the Secretary-General Addressed to the President of the Security Council', S/1999/1257, 16 December 1999, p. 3, <www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/POC%20S19991257.pdf>, accessed 31 August 2014.

5 Uppsala Conflict Data Program, cited in Lotta Themnér and Peter Wallenstein, 'Armed Conflicts 1946–2013', Journal of Peace Research, vol. 51, no. 4, 2014, p. 543.

6 World Bank, World Development Report 2011, World Bank, Washington, D.C., p. 2, <https://openknowledge.worldbank.org/bitstream/handle/10986/4389/9780821384398_overview.pdf>, accessed 31 August 2014.

7 UNICEF Office of Research, *Children on the Front Line: The challenges of climate change*, UNICEF Office of Research, Florence, Italy, 2014, preface.

8 United Nations, Department of Economic and Social Affairs, Development, Policy and Analysis Division, 'World Economic Situation and Prospects – Monthly Briefing', No. 69, United Nations, New York, August 2014, p. 1, <www.un.org/en/development/desa/policy/wesp/wesp_mb/wesp_mb69.pdf>, accessed 31 August 2014.

9 *Data for 1990*: Department of Economic and Social Affairs, Population Division, *World Urbanization Prospects: The 2014 revision*, CD-ROM Edition, United Nations, New York, 2014. *Data for 2014*: Department of Economic and Social Affairs, Population Division, *World Urbanization Prospects: The 2014 revision – Highlights*, ST/ESA/SER.A/352, United Nations, New York, 2014, p. 1.

10 Department of Economic and Social Affairs, Population Division, *Concise Report on the World Population Situation in 2014*, United Nations, New York, 2014, p. 2; and United Nations, *World Population Prospects: The 2012 revision*, <http://esa.un.org/unpd/wpp/unpp/panel_population.htm>, accessed 31 August 2014.

11 United Nations Population Division, *World Population Prospects, 2012 Revision*, United Nations, New York, 2013. Country classification: World Bank, Data, Country and Lending Groups: <http://data.worldbank.org/about/country-classifications/country-and-lending-groups>, accessed 2 September 2014.

12 United Nations Population Division, *World Population Prospects, 2012 Revision*, United Nations, New York, 2013. Country classification: World Bank, Data, Country and Lending Groups: <http://data.worldbank.org/about/country-classifications/country-and-lending-groups>, accessed 2 September 2014.

13 Department of Economic and Social Affairs, Population Division, Concise Report on the World Population Situation in 2014, United Nations, New York, 2014, p. 17.

14 *See, for example*: UNICEF Innocenti Research Centre, *Child Safety Online: Global challenges and strategies* – Technical report, United Nations Children's Fund, Florence, Italy, May 2012.

15 United Nations Children's Fund, *Committing to Child Survival: A Promise Renewed – Progress report 2014*, UNICEF, New York, 2014, p. 13.

16 Ibid, p. 24.

17 UNICEF global databases, 2014.

18 United Nations, *The Millennium Development Goals Report 2014*, United Nations, New York, 2014, p. 29.

[19] World Health Organization, United Nations Children's Fund, United Nations Population Fund and the World Bank, *Trends in Maternal Mortality: 1990 to 2013*, WHO, Geneva, 2014.

[20] United Nations Children's Fund, *The State of the World's Children 2014 in Numbers*, UNICEF, New York, January 2014, p. 77.

[21] Mason, Elizabeth, et al., 'From Evidence to Action to Deliver a Healthy Start for the Next Generation', *The Lancet*, vol. 384, no. 9941, 2 August 2014, pp. 455–467.

[22] United Nations Children's Fund, *Committing to Child Survival: A Promise Renewed – Progress report 2014*, UNICEF, New York, 2014, p. 15.

[23] Ibid.

[24] Ibid., p. 20.

[25] World Health Organization, *Global Measles and Rubella Strategic Plan 2012–2020*, WHO, Geneva, 2012, p. 18.

[26] World Health Organization, Fact Sheet No.114 on Poliomyelitis, updated May 2014, <http://www.who.int/mediacentre/factsheets/fs114/en/>, accessed 22 September 2014.

[27] United Nations Children's Fund, 'UNICEF Data: Monitoring the situation of children and women – Undernourishment in the womb can lead to diminished potential and predispose infants to early death', UNICEF, 2014, <http://data.unicef.org/nutrition/low-birthweight>, accessed 1 September 2014.

[28] *For example* the World Health Organization estimates that 250 million preschool children are vitamin A deficient, see: <www.who.int/nutrition/topics/vad/en/> accessed 6 September 2014; and according to UNICEF, in 2011, 534,000 newborns were unprotected against iodine deficiency disorders, United Nations Children's Fund, *Improving Child Nutrition: The achievable imperative for global progress*, UNICEF, New York, 2013, p. iv.5.

[29] United Nations Inter-agency Group for Child Mortality Estimation, *Levels and Trends in Child Mortality – Report 2014*, UNICEF, WHO, the World Bank and the United Nations, New York, 2014, p. 1.

[30] United Nations Children's Fund, the World Health Organization and the World Bank, '2013 Joint UNICEF/WHO/World Bank Child Malnutrition Estimates', 2014.

[31] Ibid.

[32] United Nations Children's Fund, *Improving Child Nutrition: The achievable imperative for global progress*, UNICEF, New York, April, 2013, p. 18.

[33] Data as of 2012. United Nations Children's Fund, *The State of the World's Children 2014 in Numbers*, UNICEF, New York, January 2014, p. 41.

[34] United Nations Children's Fund, *NUTRIDASH: The 2013 Global Report* (draft), Nutrition Section, Programme Division, UNICEF New York, 2014.

[35] United Nations Children's Fund, *The State of the World's Children 2014 in Numbers*, UNICEF, New York, January 2014, p. 41.

[36] Scaling Up Nutrition, <http://scalingupnutrition.org>, accessed 6 September 2014.

[37] United Nations Children's Fund, *Progress for Children: A report card on adolescents*, No. 10, UNICEF, New York, 2012, pp. 4, 18; and World Health Organization, *Child and Adolescent Health and Development Progress Report 2009: Highlights*, WHO, Geneva, 2010, p. 16.

[38] World Health Organization and United Nations Children's Fund, *Progress on Drinking Water and Sanitation: 2014 update*, WHO, Geneva, 2014, p. v, <www.wssinfo.org/fileadmin/user_upload/resources/JMP_report_2014_webEng.pdf>, accessed 31 August 2014.

[39] World Health Organization and United Nations Children's Fund, *Progress on Drinking Water and Sanitation*: 2014 update, WHO, Geneva, 2014, p. 20.

[40] Ibid., p. v, 8.

[41] Naudeau, Sophie, et al., *Investing in Young Children: An early childhood development guide for policy dialogue and project preparation*, World Bank, Washington, D.C., 2011.

[42] United Nations Children's Fund, 'The Formative Years: UNICEF's work on measuring early childhood development', UNICEF, New York, 1 January 2014, p. 1, <http://data.unicef.org/ecd/overview>, accessed 1 September 2014.

[43] UNESCO Institute Statistics Data Centre, <http://data.uis.unesco.org/#>, accessed 9 September 2014. Data are for pre-primary gross enrolment.

[44] United Nations Children's Fund, *The State of the World's Children 2014 in Numbers*, UNICEF, New York, p. 109.

[45] Walker, Susan P., et al., 'Child Development: Risk factors for adverse outcomes in developing countries', *The Lancet*, vol. 369, no. 9556, 13 January 2007, pp. 145–157.

[46] Committee on the Rights of the Child, General Comment No. 7 (2005) Implementing child rights in early childhood, CRC/C/GC/7/Rev.1, United Nations, Geneva, 20 September 2006.

[47] Resolution adopted by the United Nations General Assembly, 'Rights of the Child', A/RES/65/197, 30 March 2011.

[48] UNESCO Institute for Statistics.

[49] United Nations Children's Fund, 'Basic Education and Gender Equality: Equitable access', UNICEF, New York, 15 July 2014, <www.unicef.org/education/bege_61657.html>, accessed 1 September 2014.

[50] UNESCO Institute for Statistics and EFA Global Monitoring Report, 'Progress in Getting All Children to School Stalls', Policy Paper 14/Fact Sheet 28, United Nations Educational, Scientific and Cultural Organization, Montreal and Paris, June 2014, p. 1.

[51] Data for sub-Saharan Africa: UNESCO Institute Statistics Data Centre, <http://data.uis.unesco.org/#>, accessed 9 September 2014; higher estimates found in the following sources: United Nations Children's Fund and UNESCO Institute for Statistics, *Eastern and Southern Africa Regional Report, Global Initiative on Out-of-School Children*, UNICEF and UIS, Nairobi, June 2014, <www.uis.unesco.org/Education/Documents/esar-oosci-report-2013.pdf>, accessed 31 August 2014; and United Nations Children's Fund West and Central Africa Regional Office and UNESCO Institute for Statistics, Regional Report: West and Central Africa, Global Initiative on Out-of-School Children, UNICEF and UIS, Dakar, March 2014, <www.uis.unesco.org/Education/Documents/wca-oosci-report-2014-en.pdf>, accessed 31 August 2014..

[52] United Nations Educational, Scientific and Cultural Organization, *EFA Global Monitoring Report 2013/4: Teaching and learning*, UNESCO, Paris, 2014, p. 55.

[53] United Nations Educational, Scientific and Cultural Organization, *EFA Global Monitoring Report 2013/4: Teaching and learning*, UNESCO, Paris, 2014, p. 19.

[54] Ibid., pp. 85–86.

[55] Ibid., p. 20.

[56] Ibid., pp. 87–88.

[57] United Nations Educational, Scientific and Cultural Organization, *EFA Global Monitoring Report 2013/4: Teaching and learning*, UNESCO, Paris, 2014, pp. 364–368.

[58] United Nations Educational, Scientific and Cultural Organization, *EFA Global Monitoring Report 2012, Youth and Skills: Putting Education to Work*, UNESCO, Paris, 2012, p. 4.

[59] United Nations Children's Fund, *The State of the World's Children 2014 in Numbers*, UNICEF, New York, p. 77.

[60] Ibid., p. 17.

[61] *See, for example*: Murphy, Shannon, with Wivinia Belmonte and Jane Nelson, 'Investing in Girls' Education: An opportunity for corporate leadership', CSR Initiative at the Harvard Kennedy School, Cambridge, Mass., September 2009; and Rihani, May A., with Lisa Kays and Stephanie Psaki, *Keeping the Promise: Five benefits of girls' secondary education*, Academy for Educational Development, Washington D.C., 2006.

[62] United Nations, *The Millennium Development Goals Report 2013*, United Nations, New York, 2013, p. 4, <www.un.org/millenniumgoals/pdf/report-2013/mdg-report-2013-english.pdf>, accessed 2 September 2014.

[63] Olinto, Pedro, et al., 'The State of the Poor: Where are the poor, where Is extreme poverty harder to end, and what Is the current profile of the world's poor?', *Economic Premise*, no. 125, World Bank, Washington, D.C., October 2013, p. 2.

[64] Ibid., p. 5.

[65] UNICEF calculation based on the Department of Economic and Social Affairs, 'World Population Prospects: The 2012 revision', United Nations, New York, 2013.

[66] UNICEF Innocenti Research Centre, 'Measuring Child Poverty: New league tables of child poverty in the world's rich countries', *Innocenti Report Card 10*, United Nations Children's Fund, Florence, Italy, May 2012, p. 7.

[67] *See, for example*: OECD Directorate for Employment, Labour and Social Affairs, and Statistics Directorate, 'Income Inequality Update: Rising inequality – youth and the poor fall further behind', Organisation for Economic Co-operation and Development, June 2014, <www.oecd.org/els/soc/OECD2014-Income-Inequality-Update.pdf>, accessed 2 September 2014.

[68] Examples of initiatives to measure child poverty at the regional and national levels include UNICEF's Multiple Overlapping Deprivation Analysis (MODA), <www.unicef-irc.org/MODA>; UNICEF Global Study on Child Poverty and Disparities, <www.unicef.org/socialpolicy/index_45357.html>; UNICEF Office of Research Report Card series, <www.unicef-irc.org/publications/series/16>; European Commission Recommendation of 20.02.2013, 'Investing in Children: Breaking the cycle of disadvantage', <http://ec.europa.eu/justice/fundamental-rights/files/c_2013_778_en.pdf>; and Organisation of Economic Co-operation and Development database, <http://stats.oecd.org/Index.aspx?DataSetCode=IDD> accessed 2 September 2014.

[69] United Nations Children's Fund, *Progress for Children: Achieving the MDGs with equity*, No. 9, UNICEF, New York, September 2010, p. 8, <www.unicef.org/publications/files/Progress_for_Children-No.9_EN_081710.pdf>, accessed 2 September 2014.

[70] United Nations Children's Fund, 'Social Protection Strategic Framework: Enhancing equity for children', UNICEF, New York, 2012.

[71] Data as of 15 July 2014. Office for the Coordination of Humanitarian Affairs, 'Global Humanitarian Overview: Status report', United Nations, Geneva, August 2014, pp. 3, 11; Office of the United Nations High Commissioner for Refugees, Syria Regional Refugees Response Inter-agency Information Sharing Portal, <http://data.unhcr.org/syrianrefugees/regional.php>, accessed 19 September 2014.

[72] United Nations Inter-agency Group for Child Mortality Estimation, *Levels and Trends in Child Mortality - Report 2014*, UNICEF, WHO, the World Bank and the United Nations, New York, 2014, p. 11.

[73] United Nations Educational, Scientific and Cultural Organization, *EFA Global Monitoring Report 2011: The hidden crisis – Armed conflict and education*, UNESCO, Paris, 2011, p. 2.

[74] Office of the Special Representative of the Secretary-General for Violence in Armed Conflict, '122 Countries Endorse Historic "Declaration of Commitment to End Sexual Violence in Conflict" ', Press release, 2 October 2013, <www.un.org/sexualviolenceinconflict/press-release/122-countries-endorse-historic-declaration-of-commitment-to-end-sexual-violence-in-conflict>, accessed 2 September 2014; the full Declaration can be accessed at <www.gov.uk/government/uploads/system/uploads/attachment_data/file/244849/A_DECLARATION_OF_COMMITMENT_TO_END_SEXUAL_VIOLENCE_IN_CONFLICT__TO_PRINT....pdf>.

[75] United Nations, Security Council Resolution, S/RES/2016 (2013), United Nations, New York, 24 June 2013, <http://unscr.com/files/2013/02106.pdf>, accessed 1 September 2014.

[76] United Nations Children's Fund, *The State of the World's Children Special Edition: Celebrating 20 years of the Convention on the Rights of the Child*, UNICEF, New York, 2009, p. 21.

[77] Governance and Tripartism Department and International Programme on the Elimination of Child Labour, International Labour Organization, *Marking Progress against Child Labour: Global estimates and trends 2000–2012*, International Labour Organization, Geneva, 2013, p. 3.

[78] United Nations, Impact of armed conflict on children, A/51/306, United Nations, New York, 26 August 1996, <www.unicef.org/graca/a51-306_en.pdf>, accessed 31 August 2014.

[79] United Nations Treaty Collection, Chapter IV Human Rights, Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, A/RES/54/263, United Nations, New York, 25 May 2000, <https://treaties.un.org/pages/viewdetails.aspx?src=ind&mtdsg_no=iv-11-b&chapter=4&lang=en>, accessed 14 September; and United Nations Treaty Collection, Chapter IV Human Rights, Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, A/RES/54/263, United Nations, New York, 25 May 2000, <https://treaties.un.org/pages/viewdetails.aspx?src=ind&mtdsg_no=iv-11-c&chapter=4&lang=en>, accessed 14 September 2014.

[80] Security Council Working Group on Children and Armed Conflict, 'Security Council Resolutions', United Nations, New York, 2014, <www.un.org/sc/committees/WGCAAC/Resolutions%20and%20PRSTs.html>, accessed 2 September 2014.

[81] UNICEF Division of Policy and Planning, 'Child Marriage and the Law: Legislative reform initiative paper series', Working Paper, United Nations Children's Fund, New York, January 2008, pp. 17–23.

[82] United Nations Children's Fund, *Ending Child Marriage: Progress and prospects*, UNICEF, New York, 2014.

[83] World Health Organization, 'Early Marriages, Adolescent and Young Pregnancies', Report by the Secretariat, A65/13, WHO, Geneva, 16 March 2012, p. 3.

[84] Joint United Nations Programme on HIV/AIDS, The Gap Report, UNAIDS, Geneva, 2014, p. 8, <http://www.unaids.org/en/media/unaids/contentassets/documents/unaidspublication/2014/UNAIDS_Gap_report_en.pdf>.

[85] Newell, Marie-Louise, et al., 'Mortality of Infected and Uninfected Infants Born to HIV-Infected Mothers in Africa: A pooled analysis', *The Lancet*, vol. 364, no. 9441, 2 October 2004, pp. 1236–1243.

[86] Joint United Nations Programme on HIV/AIDS, 2014 HIV and AIDS unpublished estimates, July 2014.

[87] World Health Organization, *Health for the World's Adolescents: A second chance in the second decade*, WHO, Geneva, 2014, <http://apps.who.int/adolescent/second-decade/>, accessed 25 September 2014.

[88] United Nations Children's Fund, *Global Evaluation of the Application of the Human Rights-Based Approach*, UNICEF, New York, March 2012, p. 28.

[89] Implementation of the Convention on the Rights of the Child is by no means limited to these four areas. There have been many successes in areas covered by the General Measures of Implementation of the Convention on the Rights of the Child, which have been documented elsewhere. Also see: Committee on the Rights of the Child, General Comment No. 5 (2003), General measures of implementation of the Convention on the Rights of the Child, CRC/GC/203/5, United Nations, Geneva, 27 November 2003.

[90] Committee on the Rights of the Child, 'Concluding Observations: Viet Nam', CRC/C/15/Add.200, United Nations, Geneva, 18 March 2013.

[91] Committee on the Rights of the Child, 60th Session, 'Concluding Observations: Viet Nam' (2012) CRC/C/VNM/CO/3-4, <http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=5&TreatyID=10&TreatyID=11&DocTypeID=5>, accessed 2 September 2014; additional information received from Le Hong Loan, Head of Child Protection, UNICEF Viet Nam, August 2014.

[92] Information from UNICEF Tunisia Country Office. Information confirmed in email from Georges Gonzales, Deputy Representative, UNICEF Tunisia, 8 May 2014.

[93] UNICEF Angola, 'Country Office Annual Report 2012', United Nations Children's Fund, Luanda, 2013. Information confirmed in email from Clara M. Barona, Chief of Communication for Development, UNICEF Angola, 19 August 2014.

[94] Committee on the Rights of the Child, 'Concluding Observations: Bangladesh', CRC/C/BGD/CO/4, United Nations, Geneva, 26 June 2009.

[95] UNICEF Bangladesh, 'Country Office Annual Report 2013', United Nations Children's Fund, Dhaka, 2014.

[96] Committee on the Rights of the Child, 'Consideration of Reports Submitted by States Parties under Article 44 of the Convention: Concluding observations – Norway', CRC/C/NOR/CO/4, United Nations, 29 January 2010, <http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=5&TreatyID=10&TreatyID=11&DocTypeID=5>, accessed 1 September 2014.

[97] UNICEF Office of Research, *Championing Children's Rights: A global study of independent human rights institutions for children*, United Nations Children's Fund, Florence, Italy, 2013, pp. 1–3; open PDF at <www.unicef-irc.org/publications/pdf/c950_ccrbook_130903web_noblanks.pdf>, accessed 1 September 2014.

[98] Republic of Peru, El Decimosegundo Informe Anual de la Defensoría del Pueblo [The Twelfth Annual Report of the Ombudsman's Office], Lima, May 2009, p. 173, <www.defensoria.gob.pe/modules/Downloads/informes/anuales/informe-anual-DP-2008.pdf>, accessed 1 September 2014.

[99] UNICEF Office of Research, *Championing Children's Rights*, United Nations Children's Fund, Florence, Italy, 2013, pp. 64, 88, 224.

[100] Ibid., p. 88.

[101] Ibid., p. 224.

[102] See, for example: Office of the United Nations High Commissioner for Human Rights, 'Committee on the Rights of the Child opens sixty-sixth session', OHCHR, 26 May 2014, <www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14643&LangID=E>, accessed 14 September 2014.

[103] United Nations Children's Fund, 'A Global Stocktake of UNICEF's Programme Activities in the Area of Public Finance for Children' (draft), UNICEF, New York, 7 July 2014, p. 35.

[104] Ibid., p. 35.

[105] Ibid., p. 43.

[106] Children's Institute, University of Cape Town, <www.archive-za.com/page/1832776/2013-04-08/http://ci.org.za/index.php?option=com_content&view=article&id=842:childrens-act-promoting-implementation&catid=36&Itemid=171&tmpl=component&print=1&layout=default&page=>, accessed 15 September 2014.

[107] *See, for example*: Lansdown, Gerison, *Every Child's Right to Be Heard: A resource guide on the UN Committee on the Rights of the Child General Comment No. 12*, Save the Children UK and United Nations Children's Fund, London 2011, <www.unicef.org/french/adolescence/files/Every_Childs_Right_to_be_Heard.pdf>, accessed 1 September 2014.

[108] UNICEF analysis of the concluding observations of 41 initial and periodic reports under the Convention on the Rights of the Child considered by the Committee on the Rights of the Child during its fifty-fourth to fifty-ninth sessions.

[109] Lansdown, Gerison, and Claire O'Kane, 'A Toolkit for Monitoring and Evaluating Children's Participation', Booklet 4, Save the Children, London, 2014.

[110] UNICEF Jamaica, 'Country Office Annual Report 2013', United Nations Children's Fund, Kingston, 2014, p. 17.

[111] UNICEF Egypt, 'Country Office Annual Report 2013', United Nations Children's Fund, Cairo, 2014, p. 24.

[112] UNICEF Nepal, 'Country Office Annual Report 2013', United Nations Children's Fund, Kathmandu, 2013, p. 7.

[113] UNICEF Uganda, 'Country Office Annual Report 2013', United Nations Children's Fund, Kampala, 2014, p. 5.

[114] UNICEF Rwanda, 'Country Office Annual Report 2012', United Nations Children's Fund, Kigali, 2013.



THE GENESIS AND SPIRIT OF THE CONVENTION ON THE RIGHTS OF THE CHILD

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The world has come a long way in making the shift from considering children as the property of their parents or as objects of charity to persons in their own right, with human rights that need to be respected, protected and fulfilled.

The unique needs of children were first affirmed in the Geneva Declaration of the Rights of the Child, adopted in 1924 by the League of Nations, the forerunner to today's United Nations. The spirit of that idea still resonates today when we discuss how far we have come in terms of realizing rights for all children.

The Geneva Declaration recognized that "mankind owes to the Child the best that it has to give" and that "men and women of all nations" accept it as their duty to fulfil their obligations towards the child "beyond and above all considerations of race, nationality or creed." It outlined the rights of children in five broad areas: (1) to the means that are necessary for material and spiritual development; (2) to help when hungry, sick, disabled, delinquent or orphaned; (3) to a first call on relief in times of distress; (4) to earn a livelihood and protection from all forms of exploitation; and (5) to an upbringing that instils social responsibility. Special safeguards for children are also reflected in the Universal Declaration of Human Rights, adopted in 1948, which refers in article 25 to childhood as "entitled to special care and assistance."

In 1959, the United Nations General Assembly adopted an expanded Declaration of the Rights of the Child. In addition to the rights enshrined in the Universal Declaration of Human Rights, the new Declaration affirmed children's rights to protection against neglect, cruelty and exploitation; to prohibition of employment that could prejudice the child's health, education or development; to the opportunity for play and recreation; and to special treatment, education and care for children with disabilities.

Although the Declaration's 10 principles address the most important issues related to safeguarding and protecting children, it was not legally binding. Moreover, its statement of principles does not spell out children's rights in sufficient detail.

> “Children’s right to participate is one of the Convention’s guiding principles and has led to significant advances in children’s involvement in local and international decision-making forums over the past 25 years.”

In 1978, inspired by the ideas and work of doctor, writer and educator Janusz Korczak, Poland began drafting a convention on child rights. The following year had been designated by the United Nations as the International Year of the Child, and Poland had hoped that the convention would be adopted within a short time frame and serve as the climax to the end-of-year celebrations. Poland’s original draft was based largely on the Declaration of the Rights of the Child, and a primary intention was to make the draft’s principles binding on States. At the time of drafting, the country’s representatives may not have imagined the comprehensive treaty that was to be adopted a decade later.

In 1979, the United Nations Commission on Human Rights established a working group to consider the Polish proposal. It took 10 years of revisions and discussions to develop what became the Convention on the Rights of the Child, the first international treaty to articulate the entire complement of rights – economic, social, cultural, civil and political – relevant to children. The Convention is legally binding on all countries that have ratified it, and with its 194 States parties, it is the most widely ratified human rights treaty in history.

The final draft reflected several developments in the view of human rights and the debate on children’s rights that occurred between 1979 and 1989. Deliberations on the draft involved government delegates, as well as United Nations representatives, non-governmental organizations, experts from a number of fields and religious leaders. Children, however, were not included in the drafting process. If such a document were to be negotiated today, we would be remiss to exclude them from a seat at the table.

Children’s right to participate is one of the Convention’s guiding principles and has led to significant advances in children’s involvement in local and international decision-making forums over the past 25 years. It provides both the legal grounding and the impetus for children’s meaningful participation in the drafting of any and all legislation that affects their well-being.

CHILDREN AS RIGHTS HOLDERS

Children’s human rights were reflected in international human rights instruments even before the Convention on the Rights of the Child was adopted in 1989. Human rights conventions – such as the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights, which both entered into force in 1976 – apply to all human beings, including children. However, the specific needs and concerns of children were mostly forgotten under these instruments.

The Convention on the Rights of the Child has made children visible as rights holders. It specifies the rights to which all human beings are entitled and adapts these rights to the situation of children. And, not least important, the Convention confers upon children some rights that are not reflected in the more general human

rights instruments, such as the right to be heard, the right to have all actions consider the child's best interests, and the combination of the right to life, survival and development.

The thrust of the Convention is its emphasis on children as subjects of rights, that is, children are human beings in their own right; they are not owned by their parents or by anyone else. Children's dignity requires that we adults do not treat them as objects – of our love, our expectations, our frustration or our anger – but as persons with their own views, thoughts and ideas. To fulfil the obligations of the Convention, we need to see children as individuals, to listen to them and to take them seriously.

Under the Convention, it is not up to a State to decide, for instance, which children go to school, whether to include children with disabilities in educational or leisure activities or whether to avoid discriminating against girls. The State cannot choose whether it should provide health care to children seeking asylum, or whether to protect children from corporal punishment, sexual abuse or other forms of violence. All of these are the rights of every single child.

> "The Convention is legally binding on all countries that have ratified it, and with its 194 States parties, it is the most widely ratified human rights treaty in history."



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The influence of the Convention is evident in legislative reform initiatives, budget allocations, social protection measures and other forms of decision-making that affect children. Without the Convention, a State could argue that it was unable to provide children with protection or services, and it would be easier to prevent children from speaking up and voicing their views. A State's activities could be based on the general needs of children, without addressing the needs and rights of children in specific situations and without hearing and taking into account children's opinions.

A human rights approach is a bottom-up approach that considers needs and desires from the perspective of the child, with the ultimate aim of realizing his or her rights. The approach is informed by the guiding principles of the Convention, which include non-discrimination; the best interests of the child; the right to life, survival and development; and respect for the views of the child. Where there is a legal obligation for a State to fulfil children's rights, children can demand of the State that it fulfil those rights.

> "Children have the right to be included in forming their present and their future."

Article 3 of the Convention declares that "the best interests of the child shall be a primary consideration" in all actions concerning them, which implies that each child must be considered individually. Moreover, since the child's best interests are to be a primary consideration, those interests have to weigh heavily when decisions are made and should, as a primary rule, be given priority.

The best-interests norm is closely linked to the right of the child to express her or his views. Too often, adults easily assume they are the ones who know what is in a child's best interests. But how can adults know without first hearing what a child has to say? A child's own view – if he or she would like to express it – must be given due weight. Even very young children can express themselves if given the time and opportunity. The rights under the Convention cannot be fully realized without first considering the views of children.

Separate rights for children are also necessary to ensure that their interests are valued at least equally with the interests of adults. The right to family life, for instance, is a right of both children and parents against undue intervention from the State. The right of parents, however, is often weighed more heavily than the right of the child, even in cases where the conditions of family life put the child at risk – for example, when parents expose their children to physical violence, sexual abuse or emotional neglect. Without a specific right for children to be protected in such situations, the rights of adults would frequently take priority. At the same time, the Convention recognizes and provides strong support for the role, rights and duties of parents, along with the extended family, community members or legal guardians, as the primary caregivers and protectors of children.

Children have the right to be included in forming their present and their future. Countries have an obligation to involve children in decision-making at the central and community levels, such as policymaking and resource allocation, as well as in decisions that affect an individual child. Much would be different if adults

really allowed children to form their own opinions, listened to them and took them seriously, instead of adopting tokenistic approaches to child participation. In the words of human and child rights champion Thomas Hammarberg: "Can it be made obvious that … all sides stand to gain if adults learn to support children in the exercise of their right to be heard? I believe it can.... Enabling children to express themselves and have their views heard and respected in their homes, schools and communities from an early age will enhance their sense of belonging and their readiness to take on responsibility."[1]

CHALLENGES TO THE REALIZATION OF CHILDREN'S RIGHTS

Through its examination of reports from States parties, the Committee on the Rights of the Child has seen some encouraging improvements in governments' provision and protection of the rights of children. There have been many solid efforts and results, not only with regard to health and education, but also in such areas as juvenile justice and child participation.

Nevertheless, the quality of results varies significantly, and many challenges remain. In many countries, a lack of economic resources is presented as an obstacle to the fulfilment of human rights obligations, but much depends on the ability of governments to build good systems and their willingness to prioritize the needs and rights of children.

In times of economic crisis, countries often do not shield services and other resources so that children can continue to benefit from health care, education and other services. Moreover, economic shocks often propel children out of the classroom and into the labour force, thus adding to their burden of household tasks or, particularly for the poorest, increasing their risk of being trafficked or engaged in hazardous labour.[2] However, as the Committee stated in General Comment No. 5, "whatever their economic circumstances, States are required to undertake all possible measures towards the realization of the rights of the child, paying special attention to the most disadvantaged groups."

Violence against children demonstrates a lack of respect for the child as a human being and rights holder. Across countries at all levels of development, millions of children are subjected to physical, sexual and emotional violence. These children face immediate and long-term consequences, including an increased risk of mental health issues, low educational achievement and internalized violence.[3] Moreover, the effects of violence often span generations, affecting the well-being of children and their families and carrying severe economic and social costs for their countries.[4] In spite of efforts by States, the international community and other actors to prevent and respond to violence, it remains a threat for children around the globe. Measures to end violence must be significantly strengthened and expanded in order to put an end to these practices.

The Convention's core principle of the right to non-discrimination remains unrealized for children the world over. Across countries with different political systems and levels of economic development, children who have traditionally

"States are required to undertake all possible measures towards the realization of the rights of the child, paying special attention to the most disadvantaged groups."

> “Unless discrimination – in all its forms – is proactively addressed by governments, children will continue to be denied the rights provided them under the Convention.”

suffered from marginalization face discriminatory treatment – based on their gender, disability, ethnicity, residence, religion and other factors. Such discrimination is both a cause and a consequence of inequality, with these children experiencing deprivations that range from a lack of access to education, health care, adequate nutrition, a family environment and opportunities for proper growth and development to a lack of autonomy and protection from violence, exploitation and abuse. Unless discrimination – in all its forms – is proactively addressed by governments, children will continue to be denied the rights provided them under the Convention.

Holding States accountable for fulfilling their obligations under the Convention may be seen as the overall challenge to the realization of children's rights. States parties to the Convention are obliged to submit reports to the Committee on the Rights of the Child every five years; in turn, the Committee provides the State with its concluding observations. During the intervening period, the Committee is dependent on a State's own motivation to address the concerns and recommendations listed in the observations of the Committee, and on independent national human rights institutions, children's ombudspersons, UNICEF and civil society – including children – to advocate to the State for addressing violations of the Convention.

It is important that each State develop systems of monitoring, measurement and evaluation to fulfil its obligations to *all* children. The Committee has consistently expressed the need for systems of accountability, including in particular through data collection, disaggregation and analysis; indicator construction; monitoring and evaluation; and support for independent human rights institutions.

In the Committee's view, the three major accountability indicator areas are structure, process and outcomes. Countries, in cooperation with international organizations and civil society, should plan, establish and implement programmes for accountability and report to the Committee the manner in which this has been done. Data gathering, disaggregation and analyses are crucial, and the views of children should be among the major data sources. With support from UNICEF and other partners, the Committee is elaborating a more specific framework for accountability that will help countries monitor and evaluate their implementation of the Convention, thus enhancing the realization of children's rights.

A recent positive development related to the recognition of children as rights holders is the adoption of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure by the United Nations General Assembly on 19 December 2011. This third Optional Protocol entered into force on 14 April 2014, following its ratification by 10 countries.[5]

Children (individuals or groups of children) from countries that have ratified the Optional Protocol can submit a complaint to the Committee on the Rights of the Child if their rights under the Convention or its two earlier Optional Protocols have been violated by the State, and, as a main rule, when all domestic remedies

have been exhausted. In deciding individual cases, the Committee can spell out more specifically the State's obligations and hold countries directly accountable to the children involved. The Committee's hope, however, is that countries will create accessible complaint mechanisms for children so that they can find local solutions to violations of their rights. The Optional Protocol further strengthens accountability through an inquiry procedure that allows the Committee to carry out inquiries upon reliable information on grave or systematic violations of the Convention or any of its Optional Protocols by a State party.

REINFORCING THE COMMITMENT

While much has been achieved for children during the 25 years since the adoption of the Convention on the Rights of the Child, the agenda for child rights is far from complete. None of the recent phenomena that we experience today – the frenetic pace of global change, the challenge of widening disparities, the digital revolution and a multipolar world – could have been envisaged in 1989 when the Convention was adopted. As we approach the Millennium Development Goal deadline, and as discussions and drafting of the post-2015 Development Agenda are under way, new ideas and approaches are required to tackle the unfinished business and to ensure that all obligations made under the Convention are upheld.

The Convention on the Rights of the Child provides the building blocks for a universal agenda that protects the rights of all children, everywhere, to have the best start in life, to survive and thrive, to receive a quality education, and to live free from violence and abuse. It remains significant as a framework to guide how countries uphold the rights of their children. Its spirit and ideals must continue to drive us all to ensure a better world for children.

I would like to call on the child rights community – children, human rights bodies, UNICEF and other international organizations, non-governmental organizations, the private sector, academics, practitioners and interested individuals, nationally and internationally – to collectively reinforce their efforts to realize the rights of all children. Another 25 years is too long to wait.

> “While much has been achieved for children during the 25 years since the adoption of the Convention on the Rights of the Child, the agenda for child rights is far from complete.”

NOTES

1 Hammarberg, Thomas, ‘Ring Loud, Ring Clear: Children’s voices and the vision of Janusz Korczak’, *20 Years of the Convention on the Rights of the Child*, United Nations Children’s Fund, <www.unicef.org/rightsite/364_537.htm>, accessed 29 August 2014.

2 Harper, Caroline, et al., ‘Children in Times of Economic Crisis: Past lessons, future policies’, *Background Note*, Overseas Development Institute, London, March 2009.

3 United Nations Children’s Fund, *The State of the World’s Children Special Edition: Celebrating 20 years of the Convention on the Rights of the Child*, UNICEF, New York, November 2009, p. 25.

4 United Nations Children’s Fund, *Hidden in Plain Sight: A statistical analysis of violence against children*, UNICEF, New York, 2014.

5 As of 14 September 2014, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure had been ratified by 11 States parties.



THE CONVENTION ON THE RIGHTS OF THE CHILD:

Delivery on the promise for children is long overdue

by **KEVIN WATKINS**



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In his speech delivered during the March on Washington, in 1963, Martin Luther King Jr. famously described "the magnificent words" of the American Constitution as "a promissory note" providing the guarantee of equal opportunity for all citizens. It was, he went on, a note on which America had defaulted through institutionalized discrimination. The civil rights movement was a response to that broken promise. Rejecting the "tranquilizing drug of gradualism," King called on all Americans to recognize the "fierce urgency of now" in honouring the nation's constitutional promise:

> "Instead of honoring this sacred obligation, America has given the Negro people a bad check, a check which has come back marked 'insufficient funds'.
>
> "But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. So we've come to cash this check. … Now is the time to make justice a reality for all."[1]

As the world marks the twenty-fifth anniversary of the Convention on the Rights of the Child, these words retain a powerful resonance. The Convention, too, is a 'promissory note' – a solemn pledge backed by 194 governments to the world's children. That note, which establishes children as rights holders, is universal in scope and underpinned by four core principles. Governments are required to guarantee the rights set out in the Convention without discrimination of any kind (article 2), regardless

Governments are obligated to ensure to the maximum extent possible children's survival and development. Children attend a day-care centre the Baunia Badh urban settlement, Dhaka, Bandladesh.



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of wealth, gender, ethnicity, race or other circumstances. They have an obligation to act in the best interests of the child (article 3), to hear and respect the views of children (article 12), and to "ensure to the maximum extent possible the survival and development of the child" (article 6).

It is intrinsically difficult to measure the impact of any international human rights instrument. Weighing normative influence, identifying causality and creating a counterfactual scenario are neither possible nor useful. Even so, the world today is unequivocally a better place for children than it would be without the Convention.

> "Yet for all its achievements the Convention remains a promissory note that, to extend Martin Luther King Jr.'s analogy, has come back marked 'insufficient funds'."

Many countries have incorporated the Convention's provisions into constitutions, national legislation, child rights codes and policies dealing with health and education. There have been major advances prompted by the Convention in child protection and in the treatment of children in national legal systems. The Committee on the Rights of the Child has played an important role in reviewing the alignment between national legislation and the Convention, and in brokering dialogue between governments and civil society. Less tangibly, but no less importantly, the Convention both reflects and reinforces changes in social norms on the treatment of children.

Yet for all its achievements the Convention remains a promissory note that, to extend Martin Luther King Jr.'s analogy, has come back marked 'insufficient funds'. Governments around the world continue to violate the rights of children on a widespread and systematic basis, and they do so with impunity. The Convention's provisions on non-discrimination have done little to redress the marked disparities in opportunity that destroy so much potential. The right of children to survive and develop is undermined by deep and, in many countries, rising inequalities in health and education – inequalities that are reinforced by policies that favour those with wealth and power. When economic crisis strikes, all too often it is the most vulnerable children in the poorest households who are left to bear the brunt.

The Convention offers a vision of expanded freedom for children. Yet it has done little to galvanize action against the scourges of child labour, child marriage and child trafficking that deny freedom, opportunity and security to so many millions. Nor has it led to comprehensive action aimed at securing the rights of children trapped in armed conflict or forced by violence to flee their homes. The fact that so many countries have ratified the Convention is a major achievement. Yet it may also partly reflect an underlying weakness: namely, governments can endorse the Convention safe in the knowledge that they will never be held to account for failing to act on its principles. The absence of legal, institutional and financial enforcement weakens both the impact and the credibility of the Convention.

The implementation deficits matter. Promises made by governments to children should be subjected to the most stringent monitoring requirements. The strength of the Convention cannot be measured in ratifications, national laws or government declarations. Ultimately, the real test is whether or not its provisions make a difference in the lives of children. How does the Convention help a young Bangladeshi girl denied education because she is forced into marriage?[2] This, after all, is a country in which over one quarter of girls is married by the age of 15. What hope and opportunity does the Convention provide to a child in Haiti or Kenya forced by poverty into hazardous and exploitative child labour? How does it help children in the Syrian Arab Republic or in Gaza where fundamental rights are violated with apparent impunity by indiscriminate violence? In our increasingly prosperous but obscenely unequal world, how is the Convention helping children left behind because of poverty, gender, ethnicity, racial origin, geographical location and other markers for disadvantage? What is it doing to expand opportunity for the world's most marginalized and disadvantaged children?

> “The strength of the Convention cannot be measured in ratifications, national laws or government declarations. Ultimately, the real test is whether or not its provisions make a difference in the lives of children.”

Inevitably, the answers to these questions will vary across countries. In some areas, the Convention, along with other human rights instruments, has informed national laws. Provisions on the treatment of children by national courts stand out as an example. In other areas, the impacts are weaker. National report cards on compliance with the Convention reflect political circumstances, capacity and the level of engagement by civil society. But it is difficult to escape the conclusion that application of the Convention is falling far short of the promise it holds. Five recurrent and related weaknesses stand out:

1. Limited political engagement: To say that the Convention has been absent from international debates on post-2015 development goals would be an overstatement. However, its influence in guiding the framing of the goals, international advocacy and global debate has been muted despite the fact that the Convention's provisions address many of the challenges that must be met if the world is to eradicate poverty, reduce child deaths, expand opportunities for education and achieve wider goals. For example, the Convention could provide the foundations for an approach that puts equity at the centre of the post-2015 agenda. Within countries, the Convention has a similarly low political profile and

reports of the Committee seldom generate extensive national debate or media coverage. If the Convention is to become a force for change, it needs to be seen as a reference point for advocacy, campaigning and policy engagement – and this in turn will require the development of political coalitions for change.

2. Gaps between the letter of national laws and the spirit of the Convention: Integrating the Convention's principles into legislation does not guarantee child rights. In some cases, governments adopt and implement these principles with serious intent. In others, they pass 'dead-letter' laws that mimic the Convention without reference to enforcement, monitoring, resourcing and wider measures – such as awareness-raising campaigns to change attitudes – needed to deliver results. The gap between legal form and institutional substance helps to explain why, in a fast-growing country such as India, child labour laws have little tangible effect on child labour practices. It also helps to explain the failure of governments around the world to act on the commitment to equalize opportunity.

3. Failure to address inequalities that violate the Convention's non-discrimination principles. Rising inequality is one of the signature themes of the past two decades. Wealth disparities are widening in many countries, fuelled by the gains secured by high-income groups and hyper-elites. Wider opportunity gaps in education, health and access to basic services are also growing. These wealth and opportunity disparities are locking children into mutually reinforcing cycles of disadvantage reinforced by public policy decisions. Insufficient attention has been paid in both poor and rich countries to the question of whether the widespread failure to reverse the drift towards inequality violates the rights enshrined in the Convention.



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Rand Atiq, 13, bottle-feeds her younger brother inside their family's tent in the Islahiye refugee camp in Gaziantep Province, Turkey. The family fled Idlib Governorate, in the Syrian Arab Republic, in 2013. The conflict in the Syrian Arab Republic is now in its fourth year.

4. Comfort zone scrutiny: Responsibility for upholding the Convention rests with a wide range of actors and institutions. The Committee on the Rights of the Child occupies a distinctive and important place in the governance system. It produces a steady stream of high-quality national reviews. Through its General Comments, it also provides governments with policy guidelines. Yet the current process is flawed on several levels. There is too much emphasis on reciting legislative initiatives, and too little on detailed scrutiny of the real impacts of legislation on vulnerable children. In particular, insufficient use is made of quantitative data on social disparities, child labour and early marriage, among other issues. This is true of rich countries as well as poor countries. Part of the problem is the absence of a well-defined accountability system backed by data collection, indicators for assessing progress, and independent monitoring. Another concern is the relatively low level of government engagement in the five-year review processes. For example, prime ministers and finance ministers are seldom involved. There is striking contrast here with the level of engagement evident when an International Monetary Fund mission visits a country, suggesting that child rights are widely viewed as a lower order priority than securing a seal of approval from the Fund.

5. Weak provisions for converting principles into policy: The Convention establishes well-defined principles, many of them reflected in wider human rights legislation. However, there are no ready-made guides for converting principles into benchmarks for action against which governments can be held accountable. To take an obvious example, all governments are required under the Convention to provide the financial resources needed to realize the rights set out on a progressive basis. They are also required to enact policies that equalize opportunity. But there are no criteria against which the Committee on the Rights of the Child, civil society groups and others can measure the credibility of national efforts in these areas.

There is an urgent need for political renewal of the Convention. The grave injustices experienced by children demand an international response. In a world where more than 6 million children die before their fifth birthday, where 161 million are stunted, and where more than 250 million are denied even the most basic opportunities for learning,[3] business as usual is unacceptable. Old civil rights challenges – child labour, child marriage and child trafficking – demand urgent redress. Meanwhile, urbanization, migration, climate change and trans-boundary crime are throwing up new challenges. Rights-based approaches can make a difference in all of these areas, but only when harnessed to strong political leadership, social mobilization, and international cooperation.

Ultimately, no international human rights instrument is stronger than the political force behind it. The 1963 March on Washington marked a turning point not because of the principles in the Constitution of the United States, but because the civil rights movement formed alliances and mobilized to achieve

“In a world where more than 6 million children die before their fifth birthday, where **161 million** are stunted, and where more than **250 million** are denied even the most basic opportunities for learning, business as usual is unacceptable.”

change. What is needed today is a global civil rights movement for children – a movement committed to combating unfair social disparities, marginalization and child slavery in all its forms. By engaging with children as agents of change, such a movement would breathe new life and energy into the Convention.

The essay is organized as follows. Part 1 illustrates the case for a strengthened focus on equity by reference to health and education. It draws on evidence from the Millennium Development Goals (MDGs) in developing countries and the response to the financial crisis in rich countries. In Part 2, we turn to the broader civil rights agenda. In Part 3, the essay identifies a number of areas in which institutional reform and new strategies could make a difference.

1. STRENGTHENING THE FOCUS ON EQUITY: HEALTH AND EDUCATION

> "When it comes to fundamental rights … children's country of birth should not dictate their prospects. Neither should circumstances over which they have no control, such as the wealth of their parents, their gender or ethnicity."

The Convention establishes principles that are universal and unconditional, applying to all children irrespective of their circumstances. The MDGs are grounded in these principles. By design, they provide universal benchmarks for measuring progress towards objectives set out in the Convention. Yet developments under the MDGs illustrate the case for an enhanced focus on equity, as summarized by Anthony Lake, UNICEF's Executive Director: "Compelling data suggest that in the global push to achieve the MDGs, we are leaving behind millions of the world's most disadvantaged, vulnerable and marginalized children: the children who are facing the longest odds."[4]

Where children are born remains the greatest determinant of their life chances. Being born in Chad increases the risk of mortality by a factor of 35 relative to France. Prospects for education, nutrition and health are strongly influenced by the nation of birth. But inequalities *within* countries are a major – and, in some countries, growing – barrier to the expansion of opportunity and the realization of potential. Acting on the principles enshrined in the Convention requires governments to work towards a twin convergence in global and national opportunity for all children. When it comes to fundamental rights – such as the rights to survival, education, access to clean water and sanitation, protection against violence and participation in decisions that affect one's life – children's country of birth should not dictate their prospects. Neither should circumstances over which they have no control, such as the wealth of their parents, their gender or ethnicity.

Major advances in many areas of child well-being have been achieved during the past two decades. By 2013, under-five mortality has been reduced to half the levels registered in 1990 and the annual rate of reduction has accelerated.[5] The numbers of children out of school have declined, and gender disparities in education are narrowing. Strengthened economic growth in developing countries has contributed to a rapid reduction in poverty. While much of that reduction can be traced to East Asia, for the first time in a generation, sub-Saharan Africa has also seen a decline in the number of people living in



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Students at the Kursa primary school in Ethiopia's Afar region. Globally, the numbers of children out of school have declined, and gender disparities in education are narrowing.

extreme poverty. Yet despite these impressive gains, or perhaps because of them, insufficient attention has been paid to whether patterns of progress meet the criteria for non-discrimination and equity established by the Convention. In focusing on national averages, the reporting systems developed to monitor progress towards the MDGs have deflected attention from the disparities behind the averages.

This matters for at least two closely related reasons. First, disparities in the basic opportunities that children enjoy for survival, nutrition and education are intrinsically unjust and unfair. They violate the letter and the spirit of the Convention. Under article 4 of the Convention, governments around the world have a responsibility to advance child rights and combat the unjust inequalities inherent in discrimination "to the maximum extent of their available resources and, where needed, within the framework of international co-operation." Children have commensurate rights and entitlements to hold governments to account.

The second reason why disparities matter is because they condition the rate of national progress towards absolute goals. Extreme wealth inequalities have the effect of reducing the rate at which economic growth converts into poverty reduction.[6] Similarly, disparities in health and education act as a brake on efforts to reduce avoidable child deaths or expand opportunities for education.

> “The Convention enshrines an unequivocal obligation on governments to work towards greater equity. This is reflected in the provisions on health and education.”

The Convention enshrines an unequivocal obligation on governments to work towards greater equity. This is reflected in the provisions on health and education. In the case of health (article 24) States are required to apply the non-discriminatory principle in taking measures aimed at diminishing child mortality, ensuring provision of health care, combating malnutrition and securing the right to “the highest attainable standard of health.” In education (article 28), States are required to make primary education compulsory and available free to all, expand secondary education and, more broadly, promote universal learning “progressively and on the basis of equal opportunity.”

Insufficient attention has been paid to the development of metrics that can be used to measure adherence to these commitments. This mirrors the absence of coherent equity benchmarks in the MDG framework. In principle, there are a number of indicators that could be adopted. *Relative inequality* can be measured by looking at the rate of decline in child mortality or increases in access to basic services of one group against another, comparing, for example, the poorest 20 per cent to the national average or to the richest 20 per cent.

One of the limitations of a relative measure is that it does not give a sense of the absolute gap. For this reason, indicators *of absolute inequality* – such as gaps in years of schooling or child survival – are also important. More comprehensive measures of equity can be made through concentration indexes that combine relative and absolute scales, although data quality and gaps present a constraint.[7]

In recent years, UNICEF has started to apply equity criteria in monitoring the MDGs.[8] This is a welcome development. But there is still no widely shared framework against which national governments and donors can be held to account for compliance with the Convention.

Surviving childhood

Child health indicators illustrate why equity matters. In preparing this paper we compared the rate of reduction in child mortality for children from the poorest and wealthiest quintiles in 24 countries. Using Demographic and Health Surveys (DHS), we calculated the average annual change in child mortality rates across two post-2000 survey periods: 1999–2003 for the first survey and 2008–2013 for the second. The average gap in survey period was nine years. We divided countries into two groups: those with more rapid mortality reduction among the poor (the ‘pro-poor’ child mortality reduction group) and those with more rapid mortality reduction among the wealthiest households (‘pro-rich’ reduction).

The results are instructive. In 12 of the countries covered, the rate of decline for the poorest quintile was below that for the richest (*see Figure 1*). In the case of the Philippines and the Plurinational State of Bolivia, mortality rates for the poor are declining at one half or more of those for the rich. That outcome is difficult to square with adherence to the Convention’s provisions. So too is the slow pace of catch-up in several of the countries with ‘pro-poor’ child mortality trends.

One plausible measure of progress towards the equalization of opportunity is the rate of convergence in child survival prospects. If current trends continue, 15 of the 24 countries in our sample would see mortality rates for children from the poorest quintile converging on *current* levels of those for the richest after 2030. Once again, this is hard to square with the principles enshrined in the Convention.

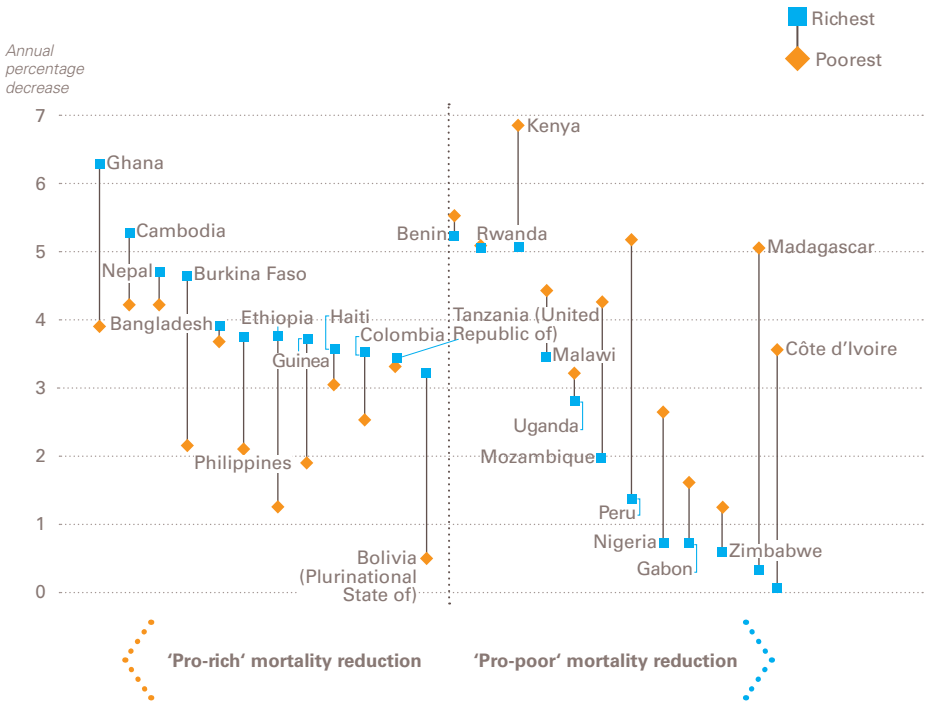
The pattern of declines in child mortality shown in Figure 1 has profound significance for the elimination of preventable child deaths by 2030, as envisaged under the post-2015 goals. Poor households tend to have more children. Higher mortality rates among these children reflect the risks that come with poorer nutrition, elevated exposure to disease vectors and more restricted access to basic services.

The end result is that poorer households account for a larger share of child mortality than the richest households (*see Figure 2*). The ratio varies across countries depending on the overall level of mortality and the degree of inequality. In countries such as Nigeria and the United Republic of Tanzania, the poorest 20 per cent account for three to five times as many child mortality as

> “If current trends continue, 15 of the 24 countries in our sample would see mortality rates for children from the poorest quintile converging on *current* levels of those for the richest after **2030** … this is hard to square with the principles enshrined in the Convention.”

FIGURE 1

Annual percentage decrease in the under-five mortality rate for the poorest and richest quintiles, selected countries



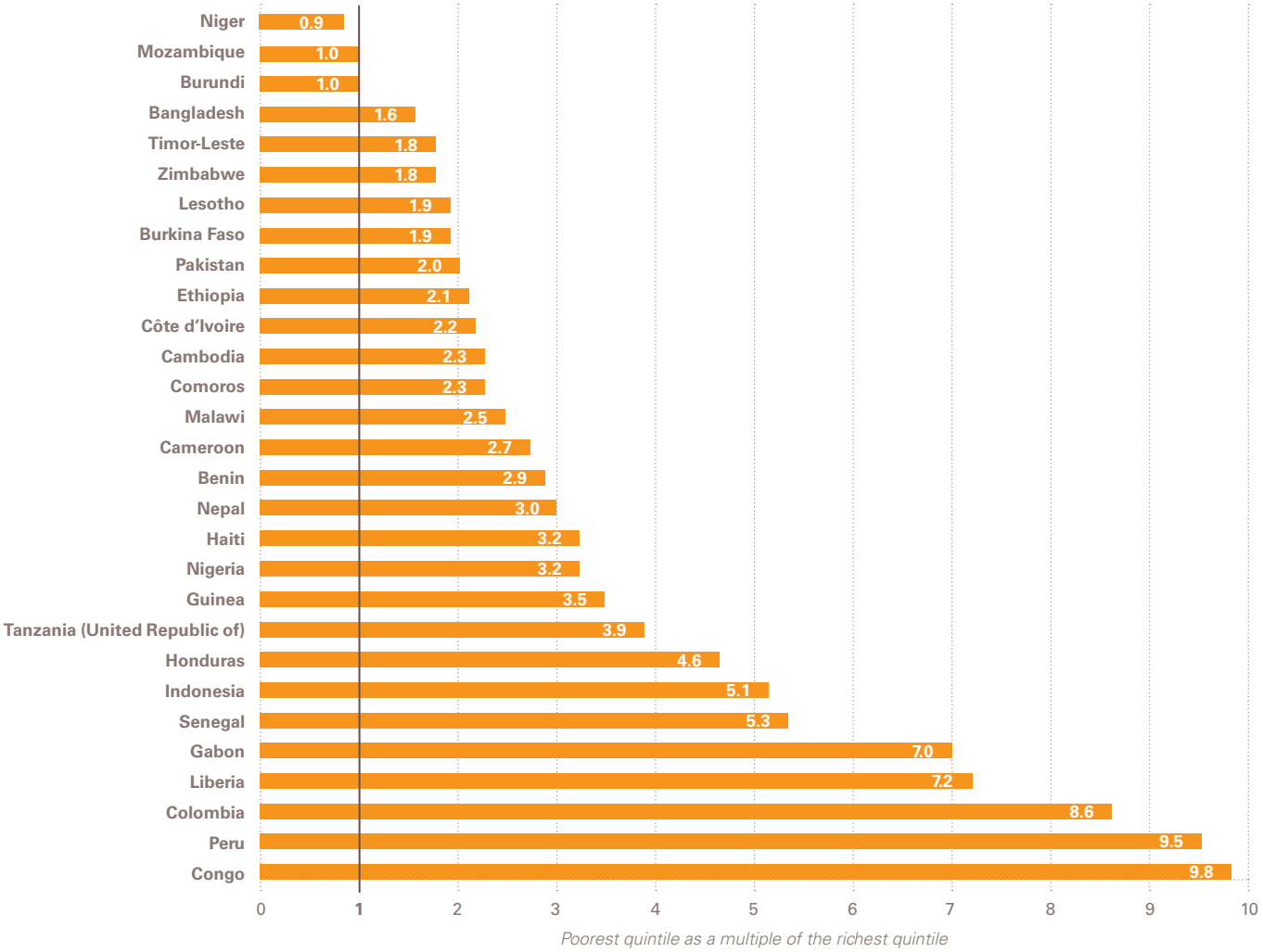
Source: DHS data sets, 1999–2003 and 2008–2013. Calculations by the Overseas Development Institute (ODI).

the richest 20 per cent, rising to eight to nine times in Peru and Colombia.[9] It follows that, beyond the equity considerations, pro-poor child mortality reduction is a potentially powerful accelerant for national progress in saving lives. Given that the MDG target of cutting child mortality by two-thirds will not be achieved until 2026 on current trends, simple arithmetic points to overwhelming grounds for reducing child survival disparities.

Recent research into health disparities reinforces the case for an enhanced focus on equity. Using a different metric (the poorest 40 per cent versus the richest 60 per cent) and covering 64 countries, a World Bank report explores whether progress within countries has been pro-poor for a range of health

FIGURE 2

National share of under-five mortality: Poorest quintile as a multiple of the richest quintile



Source: Author's analysis based on data from DHS VI data sets, 2009–2013.

outcomes and service provision indicators.[10] The list includes a number of child health indicators, including survival, stunting, immunization and antenatal coverage for mothers. Several findings stand out. One is that, amid the overall progress, many countries have made limited advances in reducing stunting (one third of the total) and increasing immunization levels (one quarter of the total). Another is that for both malnutrition and child mortality, absolute inequality has been *rising* in a significant minority of countries (40–50 per cent in the case of child mortality and 40 per cent in the case of malnutrition).[11] Absolute disparities were also rising in a significant group of countries.

Various lessons can be drawn from the current body of research on health disparities. The broadly positive news is that, in many indicators of child well-being, gaps between the richest and poorest are closing. The bad news is that this picture is far from uniform and that, in many countries, gaps are widening. Leaving aside whether overall progress has been 'pro-poor' or 'pro-rich' in aggregate, an important concern for the Convention – and, by extension, for the Committee on the Rights of the Child – is the large variation in performance across countries. Emerging research cautions strongly against any assumption that *average* progress in child well-being will benefit the poor in equal or disproportionate measure.[12] The findings point to the imperative to monitor progress on a disaggregated basis and to identify the measures needed to reduce unjust inequalities.

Disparities in health outcomes reflect wider social disparities in access to basic services. Whereas one quarter of women from the poorest quintile in sub-Saharan Africa deliver their children with skilled birth attendance, the equivalent figure for the richest quintile is three quarters. The quality and accessibility of health-system coverage affecting children is heavily influenced by individual and group characteristics. Household wealth, education, geographical location, gender and ethnicity all play a role. In Pakistan, for example, children from the poorest 20 per cent of households are three times less likely to be immunized than those from the richest 20 per cent. In Viet Nam, which has made rapid progress in child survival, ethnic minority children are three times more likely to die before age 5, and Kinh majority women are four times more likely to give birth at health facilities with skilled attendance.[13]

Success in overcoming group- and wealth-based disparities will determine prospects for achieving the next set of development goals for children. Conservative estimates suggest that a set of 10 proven nutrition-related interventions could cut child deaths by 900,000 and reduce stunting by around 20 per cent.[14] Yet as the evidence on inequality underlines, delivery of these interventions will require far greater attention to reaching the most disadvantaged sections of society. With around 3 million under-five deaths – almost half of the total – traceable to undernutrition, and 800,000 of these deaths a product of foetal growth restriction, it is apparent that inequalities in health status linked to inadequate service provision costs lives.[15]

“The broadly positive news is that, in many indicators of child well-being, gaps between the richest and poorest are closing. The bad news is that this picture is far from uniform and that, in many countries, gaps are widening.”

> “Research by UNICEF found that scaling up low-cost interventions aimed at eliminating the coverage gap between rich and poor households could save **2 million** lives between 2012 and 2015, cutting child mortality by **13%**.”

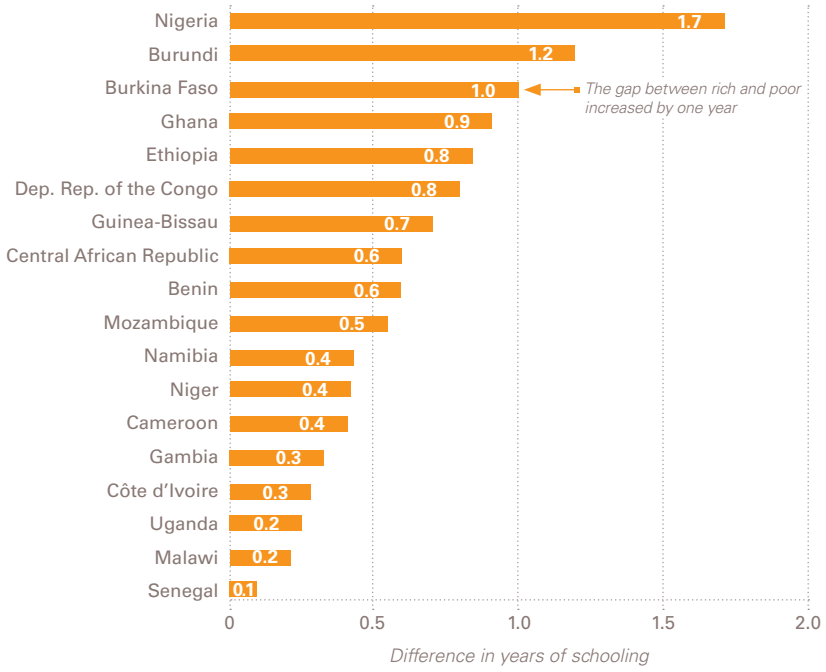
The Convention should be placed at the forefront of efforts to address these inequalities. Research by UNICEF has highlighted the potential for enhanced equity to act as a catalyst for progress in child mortality.[16] The research used a model designed to estimate the number of deaths that could be averted through child health interventions in pneumonia and diarrhoea in 75 countries with the highest burden of child and maternal mortality. It found that scaling up low-cost interventions aimed at eliminating the coverage gap between rich and poor households could save 2 million lives between 2012 and 2015, cutting child mortality by 13 per cent.[17] Given that there is broad agreement on the interventions required, the Committee on the Rights of the Child could usefully request evidence from governments on the delivery of those interventions.

Education for some

Developments in education parallel those in health. Here, too, the past decade has witnessed deepening disparities in the midst of national progress. Using the UNESCO World Inequality Database on Education, we looked at the absolute gap in years of schooling between the richest and poorest 20 per cent across 23 countries over two post-2000 survey periods. In 19 of these countries, the gap was widening (*see Figure 3*). One significant inference is that, while enrolment is rising nationally, children from poorer households are far more likely to drop out.

FIGURE 3

Change in the schooling gap: Average years of schooling among population aged 17–22. Difference between the poorest and richest quintiles, in two post-2000 survey periods



Source: UNESCO World Inequality Database on Education.

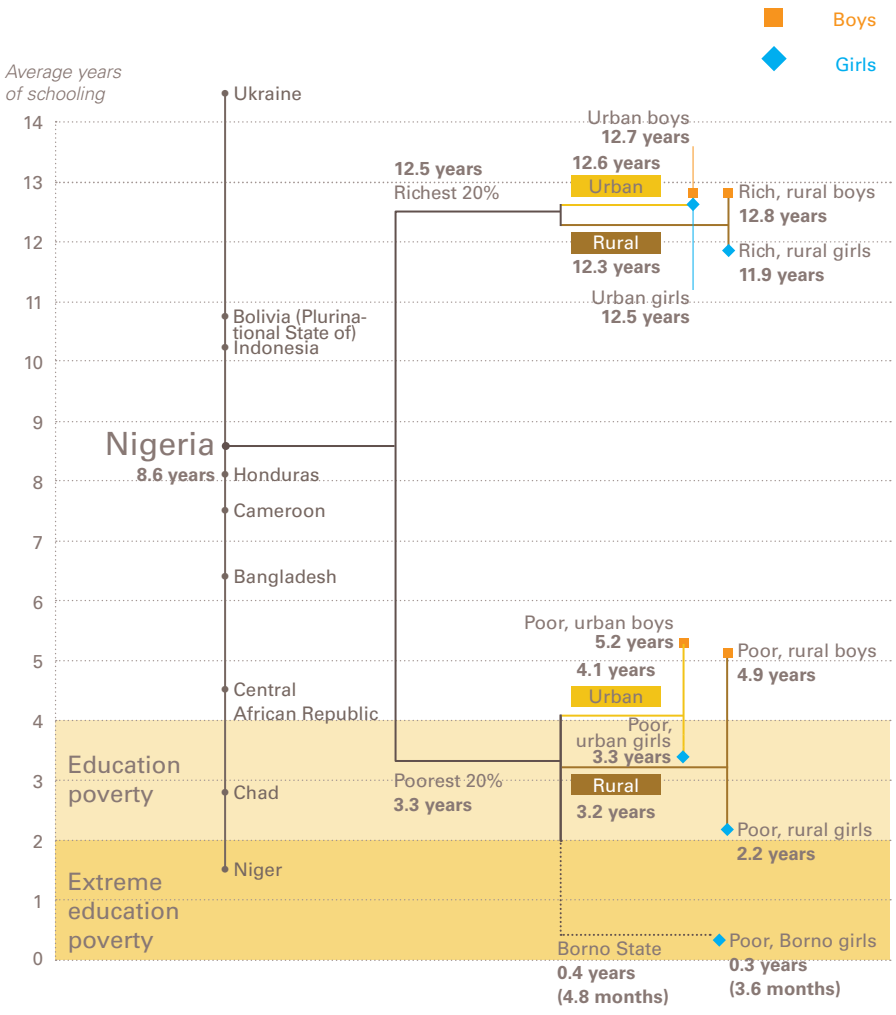
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As in the case of health, wealth-based disparities in education do not operate in isolation. They intersect with and reinforce wider inequalities linked to gender, urban and rural divisions, and other group-based characteristics. This is illustrated by the case of Nigeria, where poor, rural girls in the north of the country average less than one year of schooling compared to more than 12 years for wealthy urban boys (*see Figure 4*). Intersecting inequalities linked to gender, wealth and rural-urban disparities have powerful and mutually reinforcing multiplier effects in structuring disadvantage in education. Using four years of schooling as a threshold for 'education poverty' and two years of schooling for 'extreme education poverty', Figure 4 shows that on *average* poor rural girls in Nigeria are just above the two-year threshold.

> "In Nigeria, poor, rural girls in the north of the country average less than one year of schooling compared to more than 12 years for wealthy urban boys."

FIGURE 4

Nigeria: Average years of schooling among population aged 20–24, by location, wealth and gender



Source: UNESCO World Inequality Database on Education, 2011 data. Calculations by ODI.

Inequalities in education have material consequences for the international development goals. Despite advances during the past decade, there are still nearly 58 million primary-school-age children out of school. More disconcerting is the fact that the number has hardly changed since around 2007.[18] The underlying causes of the slowdown in progress vary across countries. But part of the explanation can be traced to a failure on the part of governments to extend opportunities to the most disadvantaged children.

Recent projections on out-of-school numbers underscore the case for attaching more weight to equity.[19] On current trends, sub-Saharan Africa is on track to achieve universal primary school completion by 2052. But this regional scenario obscures inequalities that run counter to the Convention. While boys from the richest households in sub-Saharan Africa are projected to reach universal primary completion by 2021, the poorest girls will reach that level by 2086.[20] Similarly, in Pakistan, boys and girls from the richest households are on a pathway to universal primary education by 2020, but poor girls will not reach that level until the end of the century. These disparities have wider consequences. In South Asia, having a mother with secondary education or higher halves the risk of mortality by the age of 5 relative to mothers with no education.[21]

More generally, expanding educational opportunities for young girls is among the most effective routes to enhanced child survival. Using DHS evidence from 58 countries, UNESCO's *Education for All Global Monitoring Report* estimates that, were all girls to complete primary schooling, the under-five death rate would fall by 15 per cent in low-income and lower-middle-income countries – an outcome that would save almost 1 million lives annually. Completed secondary education in the same countries would save almost 3 million lives.[22]

"Were all girls to complete primary schooling, the under-five death rate would fall by 15 per cent in low-income and lower-middle-income countries – an outcome that would save almost **1 million** lives annually. Completed secondary education in the same countries would save almost 3 million lives."

Access is just one aspect of the education challenge. The aim of getting children into school is to facilitate learning – but not enough children are acquiring basic literacy skills. National learning assessments present a bleak picture of the value added in many countries by an additional year of schooling. In Kenya, 20 per cent of the children in Grade 7 are unable to successfully complete Grade 2-level tests. Tested at the end of third grade, only one third of Pakistani school pupils can correctly form a sentence including the word 'school'. According to UNESCO, 250 million children of primary school age are unable to read or write. Worse, over half of these children are in school but not learning.[23]

As in the case of access to school, learning outcomes are marked by deep disparities. In Ghana, urban students are twice as likely to reach minimum levels of language competence as their rural counterparts.[24] In the United Republic of Tanzania, only one quarter of poor children in rural areas meet the expected standard for their grade compared to two thirds of children from wealthier households in urban areas.



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A child recovering from severe acute malnutrition with her mother at a nutrition rehabilitation centre at the Udaipur District Hospital in Rajasthan, India. No issue demands greater attention than early childhood nutrition.

Disparities in health and education are mutually reinforcing. The children of mothers who reach secondary education are more likely to reach their fifth birthday, to be fully immunized and to be treated for life-threatening illnesses. In Nigeria, child mortality rates for mothers with no education are *three* times the level of those with secondary education.[25]

The links also operate in the other direction. Around 161 million children, the vast majority of them from the poorest households, have experienced stunting by the time they reach primary school age.[26] Advances in neuroscience have provided evidence that stunting is associated with delayed cognitive development, which in turn compromises opportunities for learning. One survey covering four countries found malnourished children were 19 per cent less likely to be able to read at age 8, and 13 per cent less likely to be in the appropriate grade for their age than those who were well nourished.[27] Such findings have important implications for implementation of the Convention. If governments are required to guarantee the development of the child (article 6), no issue demands greater attention than early childhood nutrition.

Disadvantaged groups often are slower to benefit from enhanced provision than more advantaged groups. Marlene Martinez, 5, and her great-grandmother, Isabel Homez, 91, are indigenous Mayans living in Chinautla, Guatemala.



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The case for progressive universalism

Developments over the past decade demonstrate that simply expanding basic service provision will not automatically reduce disparities. As noted by Margaret Chan, Director-General of the World Health Organization, "Health systems will not *naturally* gravitate towards equity."[28] The same is true of education systems. As in the case of economic growth, the benefits of enhanced provision often trickle down to the disadvantaged far more slowly than to more advantaged groups.[29]

Of considerable relevance to the Convention, one conclusion is that a concern for equity must be backed by policies geared towards progressive universalism – with policies designed to ensure that the most marginalized secure the greatest initial benefits. Several countries – Brazil and Thailand among them – have made this an explicit focus of their health sector strategies.[30]

Reading through the reports of the Committee on the Rights of the Child, it is striking how little detailed attention is directed towards equity in health and education. Government responses to the Committee typically recite the broad policy goals set out in national strategies. Surprisingly little evidence is presented (or requested) to demonstrate that equity gaps are being closed. In part, this reflects the absence of well-defined benchmark indicators against which the commitment to non-discrimination can be assessed. But it may also reflect a tendency to focus on policy declarations rather than actual implementation and real outcomes.

If unjustified and avoidable inequality is accepted as a barrier to the realization of child rights, then enhanced equity must be seen as a priority. The Convention does not provide ready-made benchmarks for assessing commitment to equity. But this does not preclude the development of indicators and accountability mechanisms that could be brought to bear in reviews of compliance. Five immediate priorities stand out:

1. Disaggregated data collection: Information is a powerful tool and vehicle for change. Many of the disparities that compromise children's opportunities are hidden by an absence of data disaggregated by socio-economic status, gender and ethnicity. Even where data are available, they are often outdated. The High Level Panel report published by the United Nations Secretary-General to advise on the post-2015 development goals has called for a data revolution. That revolution should encompass the use of large-scale and small-scale surveys and new technologies to spotlight the children who are being left behind. International agencies such as UNICEF, the World Health Organization, UNESCO and the World Bank should be doing far more to coordinate their efforts to generate real-time disaggregated data and to build the capacity of national statistics agencies to do the same.

2. 'Stepping-stone' equity goals:[31] The post-2015 development framework will set ambitious absolute goals for 2030. Many of these goals – on child survival, nutrition, education, and access to water and sanitation to name a few of those under consideration – will have a direct bearing on child well-being. However, 2030 is too remote and too far beyond the political cycle time-horizon to inform near-term policies – and the framework now under consideration lacks clear equity goals.

These concerns could be addressed by setting 'stepping-stone' equity targets that, if attained, would accelerate progress towards the absolute goals. For example, as part of the commitment to eliminate avoidable child deaths, governments could aim to reduce disparities in death rates between the richest and poorest 20 per cent, between rural and urban areas, or between identifiably



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Girls washing their hands with soap and water at the Santo Niño Elementary School in the town of Tanauan, Leyte Province, the Philippines. The school was destroyed during Typhoon Haiyan in 2013 and subsequently rebuilt. Water and sanitation have a direct bearing on child well-being.

disadvantaged groups and the rest of the population. As part of the commitment on education, governments could target reductions in school attendance linked to parental wealth, gender and geographic regions. Targets could also be designed for the reduction of learning achievement disparities between the best- and worst-performing districts. In principle, the targets could be applied both to *outcomes* and to the coverage of basic services, such as immunization, maternal and child health care, and water and sanitation.

These examples are illustrative. The specific targets could be framed through national dialogue. Too much emphasis has been placed under the MDGs on reporting to the United Nations and too little on reporting to national populations, civil society and elected legislative bodies. National reporting against equity targets would help to inform public debate – and it would turn the spotlight on children who are being left behind. Critically, stepping-stone equity targets could be used as a reference point for the Committee on the Rights of the Child. The Committee could ask government agencies to report systematically not just on legislation relating to non-discrimination and equal opportunity in health and education, but also on real progress in narrowing inequities.

> “Establishing the principle that the most marginalized children should be first in line for enhanced provision of health, nutrition, education and other services is the starting point for a strengthened commitment to equity.”

3. Progressive universalism:[32] Universal access to health, education, water and other services is integral to the human rights enshrined in the Convention and other instruments. It is increasingly evident, however, that the expansion of basic service provision does not automatically enhance equity. The poor and marginalized are often the last to benefit. They often live farthest from the point of provision, they are least able to afford the costs of provision, and they frequently face barriers associated with stigma, limited access to education and unaccountable providers.

At its core, progressive universalism is a determination to ensure that people who are poor gain at least as much as those who are better off at every step of the way towards universal coverage, rather than having to wait and catch up as that goal is eventually approached. Establishing the principle that the most marginalized children should be first in line for enhanced provision of health, nutrition, education and other services is the starting point for a strengthened commitment to equity. Translating that principle into practical policies would require a strengthened focus on the identification of barriers facing the poor, the design of policies aimed at removing those barriers, and the monitoring of outcomes.

4. Equitable financing: How governments allocate their financial resources has a major bearing on equity. Children have equivalent rights under the Convention, but they do not have equivalent needs. Children who suffer from malnutrition and children with disabilities need more support to achieve equivalence of opportunity – the same way children living without access to basic services do. Similarly, children entering school as first-generation learners need greater support than those from literate homes.



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A schoolboy in Damascus, Syrian Arab Republic, is immunized against measles, mumps and rubella and receives a dose of vitamin A from a health worker during a nationwide immunization campaign in 2013. The most marginalized children should be first in line for services.

There is scope for debate over what equitable financing looks like in any one country or sector, and there are no blueprints. Many governments around the world – in rich countries as in well as poor countries – fail conspicuously to ensure that resource allocation reflects underlying needs and disparities. In many cases, the poorest areas and most disadvantaged children either receive less on a per capita basis than their wealthier and less disadvantaged counterparts, or governments apply an 'equal financing' formula for children at profoundly unequal starting points.

Overall, resource mobilization and budget allocation is another concern. Nigeria and Pakistan have, respectively, the largest and second-largest out-of-school populations in the world. Not by coincidence, they also have among the world's lowest levels of spending for education in proportion to gross domestic product. Low levels of revenue mobilization are part of the problem. With a tax-to-GDP ratio of 9.7 per cent in 2012–2013,[33] one of the lowest in the world, Pakistan is unable to credibly address the challenge of delivering good quality child health and education services. Moreover, under-financing through public spending leaves poor households to pay for basic services, effectively excluding poor children from opportunities in education and driving many into labour markets.[34]

How resources are allocated across budgets also matters. Governments in Africa have adopted the 'Abuja target' of allocating at least 15 per cent of public spending to health. Based on econometric analysis, had that target been met the child mortality rate would have fallen by an additional 9 per cent between 2001 and 2011. Looking ahead, it would reduce the time frame for achieving the MDG target in Africa by five years.[35] The Committee on the Rights of the Child should be providing far greater scrutiny of the degree to which government responsibilities under the Convention are reflected in spending priorities.

5. Accountable aid: The provision that governments should enact the Convention to "the maximum extent of their available resources and, where needed, within the framework of international cooperation" implies a clear obligation on donors. Assessed collectively with respect to aid, the donor community has not met that obligation. In the case of universal basic education in the poorest countries, there is an estimated financing gap of US$26 billion – and donors have been cutting support. There are also large financing gaps for the child health goals. If every country were to spend 5 per cent of its gross domestic product on health, there would be a financial deficit of around US$65 billion in terms of meeting the minimum per capita spending requirement for basic universal health coverage.[36] Failure to underwrite the post-2015 goals with aid commitments that reflect the level of ambition will inevitably compromise the project's integrity. The Committee on the Rights of the Child should, as a matter of course, provide an annual review of whether donor approaches to concessional and non-concessional finance reflect the commitment made under the Convention.



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"The Convention is for all children in all countries – regardless of their level of income." Here, children await consultation in the immunization section of the Ali-Sabieh Regional Hospital in Djibouti.

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Towards universalism

Many of the critical examples cited so far are drawn from the experience of developing countries. However, the Convention is for all children in all countries, regardless of their level of income – and, with the sole exception of the United States, all rich countries are signatory. There is a compelling and growing body of evidence calling into question the degree to which policymakers in richer countries view the Convention as a guide to policy.

The 2008 financial crisis marked a watershed in most member countries of the Organisation for Economic Co-Operation and Development (OECD), as governments grappled with the legacy of slower growth, increased public debt and fiscal pressure. As the Secretary-General of the OECD has observed "many of those who benefited least from growth before the crisis also bore a heavy burden in the recession."[37] That category includes children. Cuts in social transfers, stagnating or declining real wages for low earners, and high levels of unemployment have left the poorest households to make painful adjustments. In a majority of OECD countries, young adults and children with families face higher risks of poverty than in 2007: Child poverty has increased in 16 OECD countries. Rates of basic food insecurity have soared in the United States since 2007 – once again, families with young children have borne the brunt.[38]

The European Commission is another source of evidence on the burden carried by vulnerable children. In its *2013 Annual Report*, the Commission's Social Protection Committee identified the profound threat a 'dramatic increase' in child poverty would pose to the transmission of disadvantage across generations.[39] The Committee's report is striking on three counts. First, it documents in some detail the links between child poverty and exclusion in other areas, including health, education and employment. Second, the report documents the social policies and labour market conditions responsible for the rise in child poverty. Third, it is conspicuously silent on the identification of policy responsibility for the shocking reversals in child well-being that it highlights.

Given the wealth of data available, it might have been expected that the Committee on the Rights of the Child would have emerged as a vigorous critic of the policies driving the rise in child poverty. In particular, the failure of OECD governments to curtail, in the face of that poverty, the relentless rise in inequality in general and the wealth of the top 1 per cent would appear to be a natural area for enquiry by the Committee on the Rights of the Child. It is difficult to find examples of robust investigation of the degree to which governments have sought to manage fiscal austerity in a fashion consistent with their obligations under the Convention. At the very least, a rights-based approach to monitoring in countries with such rich data sources might have been expected to disaggregate data on the basis of wealth, region and other potential markers for disadvantage.

"Cuts in social transfers, stagnating or declining real wages for low earners, and high levels of unemployment have left the poorest households to make painful adjustments Child poverty has increased in 16 OECD countries."

The case for disaggregated reporting can be illustrated by reference to the United Kingdom. In its most recent report to the Committee on the Rights of the Child, the Government sets out its self-assessment of the record on implementation of the Convention from 2008 to 2014 – a period marked by the economic downturn and acute fiscal pressure. The report specifies a commitment to "narrowing gaps between the most disadvantaged and their peers," alongside wider commitments to act on the Convention.[40] However, neither the report nor a compendious statistical annex document focuses on social disparities. At best, this would appear to reflect a loose interpretation of the government's reporting responsibilities. At worst, it raises concerns over what may be a clear breach of the Convention.

Like other governments, the United Kingdom is required to advance the best interests of the child (article 3) and ensure "a standard of living adequate for the child's physical, mental, spiritual, moral and social development" (article 27). In some areas, credible efforts have been made to discharge that responsibility. Some basic services of vital concern to children – including education and health – have been relatively protected from public spending cuts. There have been efforts to extend child-care services in two- and three-year-olds. Measures have been put in place to support schools with large disadvantaged populations through the 'pupil premium'. However, research from a range of sources points strongly towards *prima facie* non-compliance with the Convention in some key areas:

- The Social Mobility and Child Poverty Commission has concluded that the United Kingdom is not on track to meet statutory goals on child poverty by 2020 and that the target may be missed by as many as 2 million children.[41] In its review of public spending the Commission concluded that "fiscal consolidation has been regressive" and "inter-generationally unfair": families with children have borne the brunt of fiscal consolidation.



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A woman brings her child to a health centre in the Daikundi province in eastern Afghanistan. Amartya Sen has said that development is a process of expanding human capabilities, or freedoms to make real choices.

- One of the statutory targets for 2020 is less than 10 per cent of children living in households with incomes below 60 per cent of the median. Current projections suggest that, on this measure, 21 per cent of children will be living in poverty.[42] One research exercise suggests that changes to personal tax and benefit policy announced by the coalition government are likely to increase the number of children in relative poverty by 200,000 and the number of children in absolute poverty by a similar amount in 2015–2016.[43]
- Around two thirds of the 3.5 million children in poverty live in families where at least one parent is working, underlining the damaging effects of stagnating real wages. Low pay is now a stronger predictor of poverty than low hours in work, underscoring the interaction between child deprivation and low pay.[44]
- Young adults appear to have borne the brunt of the recession with respect to employment and real wages.[45]

These outcomes do not provide unequivocal evidence of non-compliance with the Convention. By the same token, the aggregate effects of policy reform raise a number of important concerns over the Government's commitment to adequately assess the implications of policy reforms for vulnerable children, to review outcomes and to monitor overall equity. These concerns are not new. The independent Children's Commissioner for England has raised questions over a failure to monitor the impact of spending cuts on children and the absence of any requirement from the Government to undertake child rights impact assessments. They have also identified concerns over the implications of spending cuts and welfare reforms for the distribution of opportunity in society, and for the most vulnerable children. Indeed, the Commissioner has concluded that "the best interests of children are not being treated as a primary consideration in the design of fiscal measures relating to welfare benefits, tax credits and taxes," as required under article 3 of the Convention.[46]

2. EQUITY AND THE WIDER CIVIL RIGHTS AGENDA

There is a clear link between equity and children's basic civil rights. As defined by Amartya Sen, the Indian economist and philosopher, development is a process of expanding human capabilities, or freedoms to make real choices.[47] Children who are forced into child marriage and child labour are denied these basic freedoms, reinforcing inequalities and the transmission of poverty across generations.

The Convention covers a range of civil rights. The Optional Protocol on the sale of children, child prostitution and child pornography deals with one set of rights, including those violated by child trafficking. In article 32, the Convention also recognizes the right of the child to be protected from economic exploitation and hazardous work. While child marriage is not considered directly, it is linked to other rights – such as children's right to express their views freely, the right to protection from all forms of abuse, and the right to be protected from

"The Optional Protocol on the sale of children, child prostitution and child pornography deals with one set of rights, including those violated by child trafficking.

In **article 32**, the Convention also recognizes the right of the child to be protected from economic exploitation and hazardous work."

harmful traditional practices – and is frequently addressed by the Committee on the Rights of the Child. The Convention on the Elimination of All Forms of Discrimination against Women mentions more explicit provisions in article 16: "The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage."[48]

These are all areas in which systematic violation of child rights reinforces the inequalities that limit opportunity. Child labour is a case in point. As noted by Gordon Brown, the United Nations Special Envoy on Education, 215 million children worldwide are involved in child labour, with more than half of them under age 15 and 91 million less than 12 years old.[49] Many of these children are involved in hazardous employment, working long hours in dangerous occupations such as artisanal mining, sugar cane cutting and unregulated informal activities.

> "Among girls aged 15–19, more than **70,000** deaths annually are due to complications during pregnancy and childbirth, representing the single largest cause of mortality for girls in this age range."

Child labour represents a clear violation of a range of International Labour Organization Conventions, as well as of the Convention on the Rights of the Child. It also represents a barrier to education. An estimated 15 million primary-school-age children are working instead of learning.[50] Moreover, there is an emerging body of evidence pointing to an inverse relationship between child labour and learning. For millions of children around the world, exposure to child labour is both a violation of human rights and a source of diminished opportunity in education, which in turn fuels the wider cycle of poverty and vulnerability.

Gordon Brown has also pointed to child marriage as a formidable constraint on educational opportunity. Nearly one third of all girls in developing countries marry before their eighteenth birthday. One in nine will be married by age 15, most of them in sub-Saharan Africa or South Asia.[51] Child marriage, as Mr Brown notes, "marks an abrupt transition for millions of young girls into an adult world – a world for which they are emotionally and physically unprepared." Among girls aged 15–19, more than 70,000 deaths annually are due to complications during pregnancy and childbirth, representing the single largest cause of mortality for girls in this age range. In addition, infants born to mothers who are under 18 are 60 per cent more likely to die before they are a year old.[52] Child marriage is also a prelude to school dropout for many girls. In Nigeria, where 40 per cent of girls marry before age 18, only 2 per cent of married girls aged 15–19 are in school, compared with 69 per cent of their unmarried cohort.[53] Here, too, child marriage is part of a wider set of disparities. Girls from poor and rural homes are far more likely to be forced into marriage, with attendant risks for their health and education.[54]

Issues such as child labour and child marriage confront the Committee on the Rights of the Child – and the wider international community – with a number of challenges. Children may be forced into labour by poverty, social and cultural practices, and child trafficking; the mutually reinforcing interaction between deprivation, social norms and illegal practice is inherently difficult to break.

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And the same is true of child marriage. In countries where the majority of girls marry before age 18, even the most reform-minded government has to confront deeply engrained practices and power relationships. In both cases, it is far easier to change legislation than it is to change the attitudes and social norms that perpetuate the practices in question.

Nonetheless, the Committee on the Rights of the Child could act as a far more robust inspector of current practices. In its most recent review of India's compliance with the Convention, the Committee on the Rights of the Child received evidence and questioned government officials on a wide range of issues. Much of the evidence consisted of a recitation of child rights legislation, an area in which India meets high standards. The 2007 Protection of Child Rights Act and 2013 National Policy for Children are models of compliance with the Convention. The 2006 Right to Education Act established a constitutional right to free and compulsory education up to age 14, and the Juvenile Justice Act provides far-reaching protection. The Committee commended the Government for the commitment to child rights reflected in the legislation.[55] That commendation was partially justified. Recent reforms to child labour laws have reinforced the principle that the employment of children below the age of 14 constitutes a violation of the right to education.[56]

Enforcement of child rights, however, has been hampered by implementation problems, linked in turn to political failures. Child labour in India is a good example. While official data place the figure as low as 5 million, credible civil society sources suggest that the real figure may be 10 times this level.[57] Meanwhile, prosecution of firms and individuals responsible for child labour has been limited: An analysis by one NGO suggests that just 0.7 per cent of reported cases result in conviction. Moreover, child labour legislation is inconsistent with the constitutional right to education because it applies only



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A girl in the village of Mateneh, Bombali district, Sierra Leone. In sub-Saharan Africa, one girl in nine will be married before her 15th birthday.

to hazardous labour, rather than to any labour keeping children out of school.[58] Efforts to combat child trafficking are similarly dwarfed by the scale of the activity. Some 90,000 children in India go missing each year, and many of these children are trafficked through organized criminal networks into the commercial sex industry and prostitution.[59]

Gaps between policy and practice are particularly evident in child marriage. The sheer scale of child marriage bears testimony to the misalignment. Across much of South Asia and sub-Saharan Africa, civil codes outlaw marriage before the age of 18. However, few governments either actively enforce these codes or have in place national strategies for changing attitudes. In some cases, the legislative framework itself is partial and inconsistent. In Nigeria, for example, the Child Rights Act adopted in 2003 raised the minimum age of marriage for girls to 18, but only a few of the country's 36 states have developed provisions for enforcing the law. Furthermore, there are three legal systems in operation – civil, customary and Islamic – but state- and federal-level governments control only civil-system marriages.[60]

While acknowledging that international human rights instruments are a weak lever for effecting normative change, far more could be done to act on the principles set out in the Convention. In the case of child labour, governments could – and should – be requested to report on what they are doing to enforce legal provisions against trafficking, hazardous employment and underage employment. Many countries have yet to establish clear legal codes in these areas. Governments should also report on how many children they are getting out of child labour and into school through stipend programmes and second-chance education provision. In dealing with child marriage, governments should be held accountable for their efforts to apply the law, particularly in the most egregious cases involving young girls, and working through community-based initiatives to change attitudes.

There are other areas in which the rights of children are brutally violated. Attacks on schools, teachers and schoolchildren are becoming more common and more violent in many countries.[61] In Pakistan, more than 800 attacks on schools were reported between 2009 and 2012. Nigeria has seen a wave of attacks on schools and children by Boko Haram, including killing and kidnapping. In Gaza, many schoolchildren have been killed and schools destroyed during the recent conflict. Similarly, the Syrian Arab Republic's education infrastructure has been devastated through acts of indiscriminate violence – and more than 1.2 million Syrian children, many of them traumatized by war, have been uprooted. In these cases, it is difficult to square the actions of both state and non-state actors with the Convention's injunction to "take all feasible measures to ensure protection and care of children who are affected by an armed conflict" (article 38).[62]

Children as activists and advocates for the Convention – a missing link

The Convention cannot be viewed in isolation. It is one element in a rights-based framework with foundations in the United Nations Charter. Today, binding human rights standards are integrated into national legislation in many policy areas in countries across the world. To varying degrees of effectiveness, compliance with that legislation is protected by courts, national legislatures and ombudsmen-style systems, and it is monitored by civil society organizations, auditing bodies, the media and professional bodies. The key question is whether human rights move beyond laws and institutions to improve the lives and well-being of people. In the case of the Convention, as for other human rights instruments, the answer to that question is dictated by the three 'As': accountability, activism and advocacy.

The issue of accountability goes beyond formal provisions of the law. Under a human rights-based approach, development is theoretically anchored in a system of rights or entitlements and corresponding state obligations established by international laws. The precise meaning of concepts such as 'the right to health' or the 'right to education' is widely debated. In some cases, the formal rights established by international laws have little or no bearing on real world outcomes. In others, rights-based approaches have both informed laws and approaches enforcing those laws. For example, there is compelling evidence that such approaches have led to advances in child and maternal health care in Brazil, Malawi and Nepal.[63]



© UNICEF/NYHQ2014-0425/Holt

A young girl carrying her baby brother is among persons displaced and living in tents in Malakal, South Sudan. More than 1.8 million people have fled their homes because of violence and unrest in South Sudan since December 2013.

Rights-based frameworks in the health sectors have delivered best when they are linked to what one commentator describes as 'transformative accountability' mechanisms. These mechanisms operate not through punitive measures alone, but by translating a normative discourse into budget frameworks, operational guidelines for service providers, monitoring arrangements, legally enforceable claims and – critically – new relationships between service providers and users.[64]

Notwithstanding some of the critical comments in this essay, the Convention and the Committee on the Rights of the Child have contributed to 'transformative accountability'. As already noted, the Convention has informed national legislation in many key areas affecting the well-being of children. One 2004 survey of 50 countries found that most countries had incorporated the Convention into national legal frameworks – and that many had enacted comprehensive new children's codes backed by constitutional provisions, ministerial positions and ombudsmen-type arrangements.[65] Every government that is party to the Convention must report to the Committee once every five years. The Committee's reviews provide a forum for dialogue on the degree to which governments are acting on their obligations. Every two years, the Committee also reports to the United Nations General Assembly providing an opportunity for an international stocktake on child rights. Yet despite the undoubted benefits associated with all of these accomplishments, the Convention has attained limited political traction.

> "Activism and advocacy by children for children could provide a political impetus that makes the Convention a more powerful force for change."

Greater recourse to the second and third 'As' could change this picture. More specifically, activism and advocacy by children for children could provide a political impetus that makes the Convention a more powerful force for change. As Nancy Birdsall, founding president of the Center for Global Development, has persuasively argued, activist movements can play a decisive role in increasing awareness, changing attitudes and mobilizing people.[66] During the nineteenth century, citizen activism translated the norms of the anti-slavery movement and the International Committee of the Red Cross into movements that transformed laws. More recently, the Jubilee 2000 movement provided a focal point for mobilization on aid, debt relief and the Millennium Development Goals. The information and communications revolution is creating new platforms and opportunities for citizen engagement, reducing the cost of cooperation across borders and creating dense networks of people linked by common concerns.

Children are becoming increasingly visible and vocal advocates for the rights enshrined in the Convention. Eglantyne Jebb, the founder of Save the Children, once said that the only language the whole world understands is the cry of a child. Recent years have witnessed the emergence of what may be an embryonic global movement of activists using that language. The causes linking that movement are varied. In Bangladesh, young girls have come together to create 'child marriage free zones'. In Ethiopia, the Yellow Movement, which started in Addis Ababa University, is bringing together young women working to combat violence against women. In India, Bachpan Bachao Andolan, a civil society organization, frees children from forced labour through raids, supports



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Children perform songs and dances at their weekly Tuseme Club meeting in in Mbeya, United Republic of Tanzania. The name of the club means 'Speaking Out Loud'.

their subsequent education and rehabilitation, and advocates for legislative reform. But it also provides a forum through which children can mobilize to demand an end to child labour and action against child trafficking.[67]

One of the most striking developments of recent years has been the emergence of global expressions of children's activism. Malala Yousafzai, the teenage Pakistani schoolgirl shot by the Taliban, has emerged as a global advocate for girls' education – and for the Nigerian schoolgirls abducted by Boko Haram. While much of the world stood by and watched attacks on schools and children in Gaza, children around the world held vigils in support of those affected. The 500 Global Youth Ambassadors working through A World at School are bringing national struggles for child rights to a global stage, linking education to child labour, child marriage, slavery and gender discrimination. These are not groups of children asking for charity and pity. They are activists demanding their rights.

What does all of this mean for the Convention? First and foremost, it creates new opportunities for engagement. One of the hallmarks of the Convention is the distinctive emphasis that it places on the right of children in decision-making. The creation of 'children's parliaments' in many countries can be traced to the Convention. So, too, can a wide range of formal processes and laws recognizing the right of children to be heard. Unfortunately, as the Committee on the Rights of the Child has regularly pointed out, this is one area marked by large gaps between formal provision and real participation. For example, in Cambodia, the Committee identified a tension between formal structures allowing children a voice in legislative processes on trafficking and sexual exploitation on the one side, and the persistence of traditional attitudes limiting real engagement on the other.

> “Today, as never before, the principles enshrined in the Convention on the Rights of the Child matter not only for the world’s children but, also for the future of multilateralism and the shared values at the heart of the United Nations Charter.”

Such gaps reflect a top-down approach to participation. Governments have decreed that children should have a voice without considering the many barriers that the marginalized face in exercising that voice. The new children’s movements open the door to a more demand-driven model in which organizations working with and for children whose rights are being violated can participate in political processes.

Recent developments in the remit of the Committee on the Rights of the Child reinforce the emerging opportunities. As Kirsten Sandberg points out in her essay in this collection, the third Optional Protocol on a communications procedure gives every child the right to bring a case to the Committee alleging violations of the Convention. Beyond the technical and legal issues concerning the state’s obligations, these cases could provide a focal point for political mobilization.

3. RENEWING THE VISION

The urgency of global cooperation for children is now more apparent than ever. A world that is unable to expand opportunity for all children cannot build a pattern of globalization that offers shared prosperity, stability and hope. An international community unable to protect its most vulnerable people against violence and the denial of basic civil rights cannot hope to build a multilateral order that enables people to live in the “freedom from fear” envisaged by the United Nations Charter. Today, as never before, the principles enshrined in the Convention on the Rights of the Child matter not only for the world’s children, but also for the future of multilateralism and the shared values at the heart of the Charter.

Yet precisely when the challenges have become so stark, and when the need for collective action to defend the rights of children is so evident, international cooperation has been found wanting. The gap between children from wealthier and poorer backgrounds, between girls and boys, and between advantaged and disadvantaged groups has been allowed to grow. Old civil rights issues – child labour, forced marriage and child trafficking – have yet to be resolved. International laws aimed at protecting children from armed conflict are widely ignored. In these areas, the international community should be using the Convention to uphold the rights of this generation of children. Looking ahead, extending the provisions and protections of the Convention to future generations of children for whom climate change poses such dramatic threats – remains a challenge.

Confidence in multilateral responses to the injustices faced by children is at a low ebb. And if the world cannot come together to defend the rights of children, what hope is there for cooperation in other areas?

Strengthening the role of the Committee on the Rights of the Child

The Committee on the Rights of the Child is just one part of a more expansive architecture for enforcement of the Convention. Ultimate responsibility resides with governments and the wider United Nations system. However, the Committee could play an expanded role in holding governments to account. Subject to adequate resourcing, a strengthened remit and more active engagement from UNICEF and other agencies, the Committee's review procedures could provide a focal point for national and international mobilization for child rights.

More specifically, the Committee on the Rights of the Child should focus on the inequities that are leaving so many children behind in both the developed world and the developing world. It should be requesting that every government submit national progress reports addressing not only legislation relating to non-discrimination and equal opportunity in health and education, but also real progress in narrowing inequities between rich and poor. Critically, 'stepping-stone' equity targets could be established as a reference point.

And the Committee should be providing far greater scrutiny of the degree to which governments reflect a focus on their poorest citizens in spending priorities. Surely it should be requesting every government to submit national progress reports for their poorest citizens – and for vulnerable refugees and migrants.

It is not entirely fanciful to draw a partial analogy with the International Monetary Fund (IMF). Country surveillance is an inbuilt feature of membership of the Fund. Countries are required to engage in consultations – known as Article 4 consultations[68] – during which they are visited by an IMF team. Apart from meeting with finance ministers and central bank governors, IMF staff missions often also engage with parliamentarians, representatives of the business community and civil society. Article 4 reports are made publicly available – and they typically receive widespread media coverage.

The analogy is *partial*. Even so, Article 4 consultations are notable for the high-level political engagement they prompt – and this in turn partly reflects a concern over the risk for reputational damage in financial markets. Notwithstanding the self-evident differences, reviews undertaken by the Committee on the Rights of the Child ought to be a matter of paramount importance to any government concerned with its reputational standing as a defender of child's rights. The review itself should attract high-level political participation, including the active engagement of heads of government and finance ministers.

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Part of the challenge is to raise the stakes associated with the review process. Building on the analysis set out in this essay, four approaches suggest themselves:

- **Strengthening the capacity of the Committee on the Rights of the Child.** If the Committee is to effectively address the equity issues raised earlier, it has to be equipped to review data, public spending, taxation and wider economic policies. While some new and additional financing may be required, much of the expertise could be drawn from within UNICEF and the wider United Nations system.
- **Engaging with the post-2015 process:** Whatever targets emerge from the post-2015 dialogue, it is vital that progress towards these targets is monitored on a disaggregated basis. The Committee could establish a unit that works with governments to keep under constant review the progress made by the most marginalized and disadvantaged children.
- **Identifying key civil rights issues.** There are specialized agencies of the United Nations dealing with a number of civil rights issues affecting children. However, the Committee on the Rights of the Child could strategically identify areas of egregious human rights violation – such as the employment of minors in hazardous sectors, forced marriage before the age of 15 and child trafficking – and review gaps between legislative frameworks and enforcement.
- **Providing a voice for children and activist engagement.** The Committee on the Rights of the Child cannot operate on a partisan basis. But it can lend its considerable prestige and standing to groups of children and civil society organizations by more actively – and more publicly – investigating and reporting on potential non-compliance with the Convention.

None of this is to suggest that the Committee on the Rights of the Child can operate on a stand-alone basis. Ultimate responsibility for upholding the Convention rests with governments – and holding governments to account requires a mix of formal accountability and political mobilization. What the Committee on the Rights of the Child can do is turn the spotlight on policies that are corroding the intent of the Convention, raising the visibility of vulnerable children and providing a point of engagement for civil society in the process.

In the last analysis, the Convention is one important element in the wider human rights architecture. What makes it distinctive is that it establishes children themselves as rights holders, rather than as the beneficiaries of adult charity. Children have an entitlement to the rights set out in the Convention and governments have a corresponding obligation to protect and strengthen those rights. Unfortunately, as we have documented in this essay, the letter and the spirit of the Convention are observed as much in the breach as in observation.

Changing this picture will not be easy. The inequalities and civil rights violations highlighted in this essay are not in a narrow sense 'legal problems'. They are the product of unequal power relationships, of governments placing the interests of elites before those of their most marginalized citizens, and of failures of international cooperation. More effective enforcement of child rights will require an uncompromising commitment to challenge those responsible for rights violations, whether by act of omission or acts of commission.

The effectiveness of a human rights treaty cannot be weighed by the number of countries that have signed their endorsement, as important as that is. Ultimately, the real measure of the Convention is the difference it makes to the lives of children, especially the poorest and most marginalized among them. In a world grappling with the challenges posed by rising inequalities, climate change, armed violence and persistent poverty, it is vital that policymakers and civil society organizations ensure the rights of children are not ignored, diluted or wilfully violated. The Convention provides a mechanism for the advancement of child rights – but we need to use that mechanism far more effectively. If there's one thing the world's children cannot afford, it's a promissory note that comes back marked insufficient funds.

> "Ultimate responsibility for upholding the Convention rests with governments – and holding governments to account requires a mix of formal accountability and political mobilization"



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More child rights factographs can be downloaded at <www.unicef.org/crc/index_73549.html>.

NOTES

1 King, Martin Luther, Jr., 'I Have a Dream…', National Archives and Records Administration, Washington, D.C., 1963, p. 2; available at <www.archives.gov/press/exhibits/dream-speech.pdf>, accessed 12 August 2014.

2 UNICEF, 'The State of the World's Children 2014 in Numbers, Every Child Counts, Revealing Disparities, Advancing Children's Rights', 2014; available at <www.unicef.org/eapro/EN-FINAL_FULL_REPORT.pdf>, accessed 12 August 2014.

3 United Nations Educational, Scientific and Cultural Organization, *EFA Global Monitoring Report 2013/4: Teaching and learning – Achieving quality for all*, UNESCO, Paris, 2014; available at <unesco.nl/sites/default/files/dossier/gmr_2013-4.pdf?download=1>, accessed 13 August 2014.

4 United Nations Children's Fund, *Progress for Children: Achieving the MDGs with equity*, No. 9, UNICEF, New York, September 2010, p. 5; available at <www.unicef.org/publications/index_55740.html>, accessed 12 august 2014.

5 United Nations Inter-Agency Group for Child Mortality Estimation, *Levels and Trends in Child Mortality: Report 2014*, United Nations Children's Fund, World Health Organization, World Bank and United Nations, New York, 2014, p.1; available at <http://www.unicef.org/media/files/Levels_and_Trends_in_Child_Mortality_2014.pdf>, accessed 24 September 2014.

6 World Bank Group, 'Prosperity for All – Ending Extreme Poverty; A Note for The World Bank Group Spring Meetings, 2014; available <siteresources.worldbank.org/INTPROSPECTS/Resources/334934-1327948020811/8401693-1397074077765/Prosperity_for_All_Final_2014.pdf>, accessed 28 August 2014.

7 Victora, Cesar G., et al., 'How Changes in Coverage Affect Equity in Maternal and Child Health Interventions in 35 Countdown to 2015 Countries: An analysis of national surveys', *The Lancet*, vol. 380, no. 9848, 29 September 2012, pp. 1149–1156; available at <www.thelancet.com/journals/lancet/article/PIIS0140-6736%2812%2961427-5/fulltext>, accessed 12 August 2014.

8 *See, for example*: Victora, Cesar G., et al., 'How Changes in Coverage Affect Equity in Maternal and Child Health Interventions in 35 Countdown to 2015 Countries', *The Lancet*, vol. 380, no. 9848, 29 September 2012, pp. 1149–1156; and United Nations Children's Fund, *The State of the World's Children 2014 in Numbers: Every child counts – Revealing disparities, advancing children's rights*, UNICEF, New York; available at <www.unicef.org/eapro/EN-FINAL_FULL_REPORT.pdf>, accessed 13 August 2014.

9 Author's analysis, using data from the Demographic and Health Surveys (DHS) Program, 2013; available at <www.dhsprogram.com/data/available-datasets.cfm>, accessed 13 August 2014.

10 Wagstaff, Adam, Caryn Bredenkamp and Leander R. Buisman, 'Progress on Global Health Goals: Are the poor being left behind?', *World Bank Research Observer* (Advance Access), Oxford University Press, 28 July 2014; available at <wbro.oxfordjournals.org/content/early/2014/07/28/wbro.lku008.full.pdf?keytype=ref&ijkey=2mlPfbYirFxF7qr>, accessed 13 August 2014.

11 Ibid., p.16; the reference period is 1990–2011.

12 Rockefeller Foundation, et al., *Universal Health Coverage: A commitment to close the gap*, Save the Children, London, 2013; available at <www.savethechildren.org.uk/resources/online-library/universal-health-coverage-commitment-close-gap>, accessed 13 August 2014.

13 United Nations Children's Fund, 'Viet Nam: Child survival – Overview', available at <www.unicef.org/vietnam/immunization.html>, accessed 13 August 2014.

14 Horton, Richard, and Selina Lo, 'Nutrition: The quintessential sustainable development goal' in Maternal and Child Nutrition, *The Lancet*, 6 June 2013; available at <www.thelancet.com/series/maternal-and-child-nutrition>, accessed 13 August 2014.

15 Ibid.

16 United Nations Children's Fund, *Pneumonia and Diarrhoea: Tackling the deadliest diseases for the world's poorest children*, UNICEF, New York, June 2012; available at <www.unicef.org/publications/index_65491.html>, accessed 13 August 2014.

17 Ibid., p. 1.

18 United Nations Educational, Scientific and Cultural Organization Institute for Statistics and EFA Global Monitoring Report, 'Progress in Getting All Children to School Stalls', Policy Paper 14/Fact Sheet 28, UNESCO, Montreal and Paris, June 2014, p. 1.

[19] Ibid.

[20] Ibid., p. 7.

[21] United Nations Children's Fund, *Progress for Children: Achieving the MDGs with equity*, No. 9, UNICEF, New York, September 2010; available at <www.unicef.org/publications/index_55740.html>, accessed 12 August 2014.

[22] United Nations Educational, Scientific and Cultural Organization, *EFA Global Monitoring Report 2013/4: Teaching and learning – Achieving quality for all*, UNESCO, Paris, 2014, p. 156; available at <www.unesco.nl/sites/default/files/dossier/gmr_2013-4.pdf?download=1>, accessed 13 August 2014.

[23] United Nations Educational, Scientific and Cultural Organization, *EFA Global Monitoring Report 2013/4: Teaching and learning – Achieving quality for all*, UNESCO, Paris, 2014; available at <www.unesco.nl/sites/default/files/dossier/gmr_2013-4.pdf?download=1>, accessed 13 August 2014.

[24] Ibid.

[25] USAID, Demographic and Health Survey, Nigeria, 2013; available at <www.dhsprogram.com/data/available-datasets.cfm>, accessed 10 August 2014.

[26] United Nations Educational, Scientific and Cultural Organization, *EFA Global Monitoring Report 2013/4: Teaching and learning – Achieving quality for all*, UNESCO, Paris, 2014; available at <www.unesco.nl/sites/default/files/dossier/gmr_2013-4.pdf?download=1>, accessed 13 August 2014.

[27] Save the Children, 'Food for Thought – Tackling child malnutrition to unlock potential and boost prosperity', 2013; available at <www.savethechildren.org.uk/sites/default/files/images/Food_for_Thought_UK.pdf, accessed 29 August 2014.

[28] World Health Organization, 'Inequities Are Killing People on Grand Scale, Reports WHO's Commission', Press Release, WHO Media Centre, 28 August 2008; available at <www.who.int/mediacentre/news/releases/2008/pr29/en>, accessed 13 August 2014.

[29] Rockefeller Foundation, et al., *Universal Health Coverage: A commitment to close the gap*, Save the Children, London, 2013; available at <www.savethechildren.org.uk/resources/online-library/universal-health-coverage-commitment-close-gap>, accessed 13 August 2014.

[30] Victora, Cesar G., et al., 'Applying an Equity Lens to Child Health and Mortality: More of the same is not enough', *The Lancet*, vol. 362, 19 July 2003, pp. 233–241.

[31] This builds on ideas set out in 'Leaving No One Behind: An agenda for equity', *The Lancet*, 9 May 2014.

[32] *On the case for progressive universalism, see*: Gwatkin, Davidson R., and Alex Ergo, 'Universal Health Coverage: Friend or foe of health equity?', *The Lancet*, vol. 377, no. 9784, 25 June 2011, pp. 2160–2161; available at <www.thelancet.com/journals/lancet/article/PIIS0140-6736%2810%2962058-2/fulltext>, accessed 13 August 2014; Gwatkin, D. R. and Ergo, A., 'Universal Health Coverage: Friend or foe of health equity?', *The Lancet*, 377, 2011, pp. 2160-2161; available at <www.thelancet.com/journals/lancet/article/PIIS0140-6736(10)62058-2/fulltext>, accessed 26 August 2014; Kutzin, J., 'Anything Goes on the Path to Universal Health Coverage? No', 2012; available at <www.who.int/bulletin/volumes/90/11/12-113654/en/>, accessed 26 August 2014.

[33] Bustreo, Flavia, et al., 'Women's and Children's Health: Evidence of impact of human rights', World Health Organization, Geneva, 2013; available at <http://apps.who.int/iris/bitstream/10665/84203/1/9789241505420_eng.pdf>, accessed 29 August 2014.

[34] United States Department of Labor, 'Pakistan – 2012 Findings on the Worst Forms of Child Labor', 2012; available <www.dol.gov/ilab/reports/child-labor/pakistan.htm>, accessed 29 August 2014.

[35] Grekou, Carl, and Romain Perez, 'Child Mortality in Sub-Saharan Africa: Why public health spending matters', Working Paper 2014-28, Université Paris Ouest, Nanterre, France, p. 1; available at <www.econpapers.repec.org/paper/drmwpaper/2014-28.htm>, accessed 13 August 2014.

[36] Chatham House, 'Shared Responsibilities for Health: A coherent global framework for health financing – Final report of the Centre on Global Health Security Working Group on Health Financing', *Chatham House Report*, Royal Institute of International Affairs, London, May 2014, p. 13; available at <www.chathamhouse.org/sites/files/chathamhouse/field/field_document/20140521HealthFinancing.pdf>, accessed 26 August 2014.

[37] Organization for Economic Co-operation and Development, *Society at a Glance 2014: OECD Social Indicators*, OECD, OECD Publishing, 2014, p. 9; available at <http://www.oecd.org/els/soc/OECD2014-SocietyAtAGlance2014.pdf, accessed 24 September 2014.

[38] Ibid.

[39] European Union, 'Social Europe – Many ways, one objective – Annual Report of the Social Protection Committee on the social situation in the European Union (2013)', 2014; available at <www.ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=7695>, accessed 26 August 2014.

[40] HM Government, 'The Fifth Periodic Report to the UN Committee on the Rights of the Child United Kingdom', 2014; available at <www.equalityhumanrights.com/sites/default/files/uploads/Pdfs/The%20UK's%20Fifth%20Periodic%20Review%20Report%20on%20the%20UNCRC.pdf>, accessed 26 August 2014.

[41] Social Mobility and Child Poverty Commission, 'State of the Nation 2013: Social mobility and child poverty in Great Britain', 2013; available at <www.gov.uk/government/uploads/system/uploads/attachment_data/file/292231/State_of_the_Nation_2013.pdf>, accessed 26 August 2014.

[42] Reed, Howard and Jonathan Portes, 'Understanding the Parental Employment Scenarios Necessary to Meet the 2020 Child Poverty Targets, Research report', 2014, available at <www.gov.uk/government/uploads/system/uploads/attachment_data/file/318073/3b_Poverty_Research_-_Final.pdf>, accessed 26 August 2014.

[43] Brewer, Mike, James Browne and Robert Joyce, 'Child and Working-Age Poverty from 2010 to 2020', Institute for Fiscal Studies, London, 2011.

[44] Child Poverty Action Group, 'Child Poverty Facts and Figures', 2000; available at <www.cpag.org.uk/child-poverty-facts-and-figures#footnote3_d6ynous>, accessed 28 August 2014. On labour market effects *see*: Social Mobility and Child Poverty Commission, 'State of the Nation 2013: Social mobility and child poverty in Great Britain', 2013; available at <www.gov.uk/government/uploads/system/uploads/attachment_data/file/292231/State_of_the_Nation_2013.pdf>, accessed 28 August 2014.

[45] Belfield, Chris, et al., 'Living Standards, Poverty and Inequality in the UK: 2014', Institute for Fiscal Studies, 2014; available at <http://www.ifs.org.uk/uploads/publications/comms/r96.pdf>, accessed 28 August 2014.

[46] The UK Children's Commissioner, 'UK Children's Commissioners' Midterm Report to the UK State Party on the UN Convention on the Rights of the Child', 2011; available at <www.niccy.org/uploaded_docs/2011/Mid%20Term%20report/UNCRCMIDTERMREPORT_FINAL.pdf>, accessed 26 August 2014. See also 'Office of the Children's Commissioner' (2013) *A Child Rights Impact Assessment of Budget Decisions: Including the 2013 Budget, and the cumulative impact of tax-benefit reforms and reductions in spending on public services 2010–2015* <www.childrenscommissioner.gov.uk/content/publications/content_676>, accessed 24 September 2014.

[47] Sen, Amartya, *Development as Freedom*, Anchor Books, New York 1999.

[48] The full text of the Convention on the Elimination of All Forms of Discrimination against Women is available in Arabic, Chinese, English, French, Russian and Spanish at <www.un.org/womenwatch/daw/cedaw/cedaw.htm>, accessed 12 August 2014.

[49] Brown, Gordon, 'Child Labour & Educational Disadvantage – Breaking the Link, Building Opportunity: A review by Gordon Brown', Office of the United Nations Special Envoy for Global Education, London, 2012, pp. 4–5; available at <http://educationenvoy.org/wp-content/uploads/2013/10/child_labour_and_education_UK.pdf>, accessed 12 August 2014.

[50] Ibid., pp. 4–5.

[51] Brown, Gordon, 'Out of Wedlock, into School: Combating child marriage through education – A review by Gordon Brown', Office of Gordon and Sarah Brown, London, 2012; available at <http://educationenvoy.org/wp-content/uploads/2013/09/Child-Marriage.pdf>, accessed 12 August 2014.

[52] Ibid., p. 16.

[53] Population Council, 'Child Marriage Briefing: Nigeria', New York, September 2005, p. 1; available at <www.khubmarriage18.org/?q=node/153>, accessed 12 August 2014.

[54] UNFPA Nigeria, 'Early Marriage in Nigeria', 2004; available at <www.nigeria.unfpa.org/nigeirachild.html>, accessed 26 August 2014.

[55] United Nations Office of the High Commissioner for Human Rights, 'Committee on Rights of Child Examines Reports of India under the Convention and Protocols on Children in Armed Conflict, Sale of Children', United Nations Office of the High Commissioner for Human Rights, Geneva, 3 June 2014; available at <www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14663&LangID=E>, accessed 12 August 2014.

[56] Indian Ministry of Labour and Employment, 'The child labour (prohibition) and regulation amendment bill, 2012; Fortieth Report, Standing Committee on Labour (2013-2014)', 2013; available at <http://164.100.47.134/lsscommittee/Labour/15_Labour_40.pdf>, accessed 28 August 2014.

[57] Satyarthi, Kailash, 'Getting Ready for the New Law against Child Labour', *The Hindu*, 10 September 2012; available at <www.thehindu.com/opinion/op-ed/getting-ready-for-the-new-law-against-child-labour/article3878212.ece>, accessed 13 August 2014.

[58] Bachpan Bachao Andolan, 'Right to Education: Impact 2010–2011', New Delhi, March 2011; available at <http://bba.org.in/sites/default/files/RTE-2011.pdf>, accessed 13 August 2014.

[59] Kumar, Narayana KP, 'Menace of child trafficking increasing in India: Here's how government should deal with it', 2014; available at <www.articles.economictimes.indiatimes.com/2014-07-27/news/52089056_1_placement-agency-child-trafficking-bachpan-bachao-andolan>, accessed 26 August 2014.

[60] Population Council, 'Child Marriage Briefing: Nigeria', New York, September 2005, p. 1; available at <www.khubmarriage18.org/?q=node/153>, accessed 12 August 2014.

[61] Global Coalition to Protect Education from Attack, *'Education under Attack 2014'*, GCPEA, New York, 2014; available at <www.protectingeducation.org/sites/default/files/documents/eua_2014_full_0.pdf>, accessed 13 August 2014.

[62] United Nations Office for the Coordination of Humanitarian Affairs (OCHA), 'Occupied Palestinian Territory: Gaza Emergency Situation Report (as of 12 August 2014, 0800 hrs)', 2014; available at <www.ochaopt.org/documents/ocha_opt_sitrep_11_08_2014.pdf>, accessed 28 August 2014.

[63] Bustreo, Flavia, et al., 'Women's and Children's Health: Evidence of Impact of Human Rights', World Health Organization, Geneva, 2013; available at <http://apps.who.int/iris/bitstream/10665/84203/1/9789241505420_eng.pdf>, accessed 29 August 2014.

[64] Yamin, Alicia, E., 'Toward Transformative Accountability: Applying a rights-based approach to fulfill maternal health obligations', *International Journal on Human Rights*, vol. 7, no. 12 (June 2010), p. 112; available at <www.surjournal.org/eng/conteudos/pdf/12/surjournal12.pdf>, accessed 29 August 2014.

[65] United Nations Children's Fund, 'Summary Report of the Study on the Impact of the Implementation of the Convention on the Rights of the Child', UNICEF Innocenti Research Center, Florence, 2004; available at <www.unicef-irc.org/publications/369>, accessed 29 August 2014.

[66] Birdsall, Nancy, Christian Meyer and Robert Joyce, 'Global Markets, Global Citizens, and Global Governance in the 21st Century', *Center for Global Development, Working Paper 329, 2013*; available at <www.cgdev.org/publication/global-markets-global-citizens-and-global-governance-21st-century-working-paper-329-0>, accessed 29 August 2014.

[67] See Bachpan Bachao Andolan (BBA) website <www.bba.org.in/>, accessed 28 August 2014.

[68] This is because the consultations occur under Article 4 of the IMF's Articles of Agreement.



THE CONVENTION ON THE RIGHTS OF THE CHILD:

What it would mean to fulfil its potential

by **JODY HEYMANN AND AMY RAUB**



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Successfully implementing the Convention on the Rights of the Child around the world would not only further dramatically reduce infant and child mortality, but would also diminish the marked inequalities in opportunity individuals face in overall health, education, and economic livelihoods throughout the life course.

The Convention has been ratified by 194 States parties[1] and is the most widely ratified human rights treaty in the world. Because of its near universal adoption, the Convention has tremendous potential to improve the health, development and future prospects of millions of children and youth.

The Convention's global impact relies, however, on the actions of individual countries. For the Convention to have an impact, national laws need to be passed and policies enacted to guarantee the rights affirmed in the Convention, and governments need to implement these policies and enforce these laws. The Convention's impact will be felt when programmes and budgets ensure that the services and support that ratifying Parties commit to providing, do reach and benefit children and young people.

We have spent much of the past decade leading and working with colleagues at the WORLD Policy Analysis Center to develop the most comprehensive quantitative data set of social, economic, educational and health laws and policies in United Nations Member States. After many years of work focused on laws and policies that are critical to children, in 2013 we launched Children's Chances,[2] an examination of how policies in United Nations Member States affect children's opportunities for healthy development. We feel fortunate to have been able to partner with efforts under way in a range of United Nations agencies, including the United Nations Educational, Scientific and Cultural Organization, the World Health Organization and UNICEF – in supporting countries' efforts to ensure that all children have an equal chance at education and healthy development. We have also had the chance to partner with civil society organizations that are dedicated to these goals.

> “An overwhelming majority of countries have begun to meet some of the key commitments embodied in the Convention at the national level.”

In anticipation of the 25th anniversary of the Convention on the Rights of the Child on 20 November 2014, we thought it important to evaluate how far countries have come in embedding the principles of the Convention in national laws and policies, and to examine what hurdles remain. For this purpose, we used data gathered from around the world through 2014 to examine progress in areas relevant to the Convention. (The methodology can be found at <www.worldpolicyforum.org>.)

POLICIES AND LAWS THAT MAKE THE CONVENTION A REALITY AT COUNTRY LEVEL

Through their constitutions, laws and policies, an overwhelming majority of countries have begun to meet some of the key commitments embodied in the Convention at the national level. These include both fundamental rights, such as tuition-free primary education, and fundamental protections, such as protection from work that interferes with schooling at young ages.

Protection from economic exploitation

Article 32 of the Convention recognizes “the right of the child to be protected from economic exploitation and from performing any work that is likely … to interfere with the child’s education.” It explicitly calls on States parties to the Convention to “take legislative, administrative, social and educational measures to ensure the implementation of the present article … in particular: (b) Provide for appropriate regulation of the hours and conditions of employment….” To assess national action on this provision, we examined the first steps of whether national legislation prohibits children and youth from working six hours or more on a school day.

Protections for children are getting stronger. Whereas many countries have historically allowed child labour without restrictions, the majority of States parties to the Convention, 94 per cent, no longer allow 12-year-old children to work six hours or more on a school day. In 75 per cent of States parties, 12-year-old children are prohibited from doing any type of work. At age 14, three quarters of States parties prohibit children from working six hours or more on a school day.[3] The International Labour Organization (ILO) reports that child labour has declined by nearly one third from 2000 to 2012, although nearly 11 per cent of the world’s children ages 5 to 17 – 168 million children – are still engaged in labour.[4] Critical gaps are discussed below.

Right to education

Among other educational provisions, article 28 of the Convention calls on States parties to “make primary education compulsory and available free to all,” and to make secondary education “available and accessible to every child and take appropriate measures such as the introduction of free education….”

The majority of States parties to the Convention (89 per cent) have complied with their obligation to make primary school free and compulsory, and only 1 per cent of States parties have not made primary school either free or compulsory. And, according to the United Nations, the rate of primary school enrolment in "developing regions" has increased, from 80 per cent in 1990 to 90 per cent in 2012.[5] Tuition fees can present a substantial barrier to achieving gender equality in education; when families have to pay for education, they are more likely to send boys to school than girls. Only countries in sub-Saharan Africa and Oceania report charging tuition fees for primary education;[6] these are two of the three regions with the largest remaining gaps between boys and girls for primary enrolment.[7] Southern Asia, which no longer charges tuition fees at the primary level, has seen the largest improvements in gender parity from 1990 to achieve gender equality in primary enrolment in 2012.[8]

In the first year of secondary school, 85 per cent of States parties do not charge tuition. In a smaller majority of countries, 76 per cent, secondary education is free of tuition through completion. While countries at every income level have made education tuition free through completion of secondary school, tuition fees are far more common in low-income countries (6 per cent of high-income countries charge fees compared with 22 per cent of middle-income countries, and 62 per cent of low-income countries that have ratified the Convention). With many countries still charging tuition fees that prevent children from receiving a secondary education, gender inequalities in secondary education persist in many regions. Sub-Saharan Africa and Oceania, the only two regions where a majority of countries charge tuition fees before the completion of secondary education, once again have the largest gap in enrolment between boys and girls.



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Primary school children in Gulu district, Uganda, gather for a photograph during their morning break. UNESCO reports that in Uganda, primary education access and quality did not improve significantly between 2000 and 2007, and the learning gap between rich and poor widened.

Despite progress in gender equality in primary school enrolment that is tuition free, Southern Asia still has a gender gap at higher levels of education with only 93 girls for every 100 boys enrolled in secondary school for which tuition is charged in nearly half of the countries.

INCREASING NATIONAL ACTION OVER TIME

Since the adoption of the Convention, a growing proportion of new national constitutions have explicitly provided for some of the rights and protections that are embodied in the Convention.

Right to education

Article 28 of the Convention recognizes the right of the child to an education. To assess the constitutional commitments of States parties to education, we examined explicit constitutional guarantees of the right to free and compulsory education. We compared provisions in constitutions adopted before ratification of the Convention to those adopted after its ratification.

Constitutions adopted after ratification of the Convention more frequently include protections of education rights at all levels than constitutions adopted prior to its ratification. While 28 per cent of constitutions adopted before ratification do not include any protection of the right to education or a specific right to primary education, only 3 per cent of constitutions adopted after ratification lack this basic protection. Constitutions adopted after ratification are also more likely to guarantee that primary education, or education generally, is free (65 per cent compared with 47 per cent). While explicit protections of the right to secondary education are less common, 49 per cent of constitutions adopted after ratification provide some protection of the specific right to secondary education compared with only 33 per cent of those adopted before ratification.[9]



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In June 2014, 19-year-old Topper Kartik Sawhney addresses the audience at an Activate Talk at UNICEF, New York, which explored the intersection of inclusion, stigma, discrimination and innovation in the post-2015 development agenda.

Right to health

Article 24 of the Convention recognizes the right of the child to the "highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health." We examined whether the right to health, medical care services and public health were protected in national constitutions, and compared those protections in constitutions adopted before ratification of the Convention to those adopted after its ratification. More than 75 per cent of constitutions adopted after ratification guarantee some aspect of protection of health for citizens compared with only 40 per cent adopted before ratification.[10]

CRITICAL GAPS REMAIN IN NATIONAL LAWS AND POLICIES

Despite the progress outlined above, there are critical areas where the world still lags far behind universal protections on issues important to children's healthy development. Areas where protections for children are lacking include hazardous work, child marriage, equitable treatment of and education for children with disabilities, and adequate income for families.

Protection from hazardous work

Article 32 of the Convention protects children from hazardous work and calls on States parties to "provide for a minimum age or minimum ages for admission to employment." However, only 53 per cent of States parties legally protect children from hazardous work in all circumstances. Two per cent of States parties have not established a national minimum age for hazardous work, and in 24 per cent of States parties the minimum age for hazardous work is below age 18. In an additional 21 per cent of States parties, the minimum age is set at age 18, but the law includes exceptions that allow younger children to do hazardous work, such as for vocational purposes or for work done in the company of family members. The ILO reports that more than half of all child labourers are engaged in hazardous work. While the absolute number of children performing hazardous work declined by one half from 2000 to 2012, nearly 85 million children (aged 5 to 17) are still engaged in hazardous work that endangers their well-being.[11]

Protection from child marriage

While the Convention does not explicitly address child marriage, many of its provisions are relevant to the harmful consequences of child marriage, especially the right to protection from violence (article 19), the right to health (article 24), the right to education (article 28), and the right to protection from sexual exploitation and abuse (article 34). Child marriage lowers girls' chances at an education, raises their risks of maternal mortality and increases their chances of experiencing violence. The Convention also provides for non-discrimination on the basis of gender (article 2), that "the best interests of the child shall be a primary consideration" (article 3), and that children shall be given "the right to express … views freely in all matters affecting the child" (article 12).

"[Despite progress,] there are critical areas where the world still lags far behind universal protections on issues important to children's healthy development."

There are still many gaps in legislative protections from child marriage. While 88 per cent of States parties have set a minimum age of marriage for girls at 18 years or older, most countries allow for exceptions with parental consent or under customary or religious law. When these exceptions are considered, 15 per cent of States parties legally allow girls as young as 13 years old to marry and 28 per cent legally allow marriage at age 15. Moreover, despite their stated commitments to gender equality, there is a gender disparity in the minimum age of marriage with parental consent in nearly one third of States parties. In 9 per cent of States parties, this disparity allows girls to marry three or four years earlier than boys.[12] It should be unsurprising, then, that child marriages are far more common among girls than boys, with an estimated 720 million women married or in union before ages 15 and 18 compared with only 156 million men.[13]

While child marriage remains a critical issue, protections from the practice have increased over time. The Maternal and Child Health Equity (MACHEquity) research programme examined laws in low- and middle-income countries, and found that while in 1995 only 27 per cent of countries had established a legal minimum age of parental consent, with no disparities between boys and girls, in 2013 more than half of countries had done so.[14]

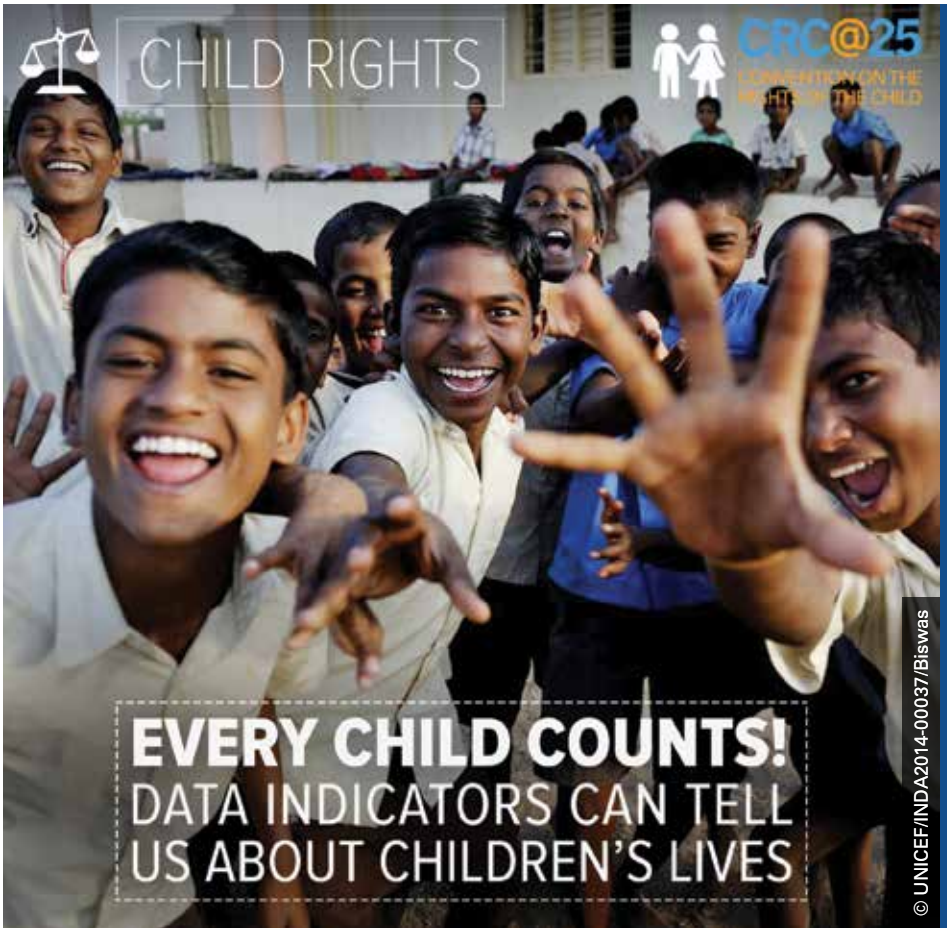
> “There are significant gaps in the provision of education for children with disabilities.”

Protections for children with disabilities

The Convention calls on States parties to protect children with disabilities from discrimination (article 2), and further emphasizes the responsibility of States parties to ensure a full and decent life for children with disabilities (article 23). We examined constitutional commitments both to overall equity based on disability and to equity specifically in education.

Only 24 per cent of States parties explicitly guarantee a constitutional approach to equity based on disability. Looking specifically at constitutional protections of equity in education for children with disabilities, only 17 per cent of States parties explicitly protect the right to education for children with disabilities, prohibit discrimination in education based on disability, or guarantee citizens the right to education and broadly prohibit discrimination based on disability. Protections are significantly higher based on gender (63 per cent), race/ethnicity (56 per cent) and religion (57 per cent).[15]

At the policy level, we looked at the level of integration of children with special needs into the public education system and found that there are significant gaps in the provision of education for children with disabilities. Fewer than half of States parties (43 per cent) integrate children with disabilities in the same classrooms as other students; an additional 40 per cent integrate children with disabilities within the same schools as children without disabilities. Only 12 per cent of countries make provisions for children with disabilities to attend separate schools, and 5 per cent of countries provide no public special education at all. Children with disabilities in low-income countries are especially disadvantaged, as more than a third of low-income



More child rights factographs can be downloaded at <www.unicef.org/crc/index_73549.html>.

countries (36 per cent) provide special education in separate schools or do not provide it at all. Data from 51 countries show that children with disabilities have significantly lower primary-school completion rates (51 per cent of boys with disabilities complete school compared with 61 per cent of boys without disabilities; and 42 per cent of girls with disabilities complete school compared with 53 per cent of girls without disabilities). The gap in primary school attendance rates between children with disabilities and children without disabilities is as large as 60 per cent. Low-income countries that are more likely to lack policy provisions for children with disabilities have the largest gap in primary school enrolment for children with disabilities.[16]

Right to an adequate standard of living

Article 27 of the Convention recognizes the "right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development" and makes it the responsibility of parents to "secure, within their abilities and financial capacities, the conditions of living necessary for the child's development" and the responsibility of States parties to "assist parents and others responsible for the child to implement this right."

Decent jobs and wages are the most likely way to ensure an adequate living standard for all children. Twelve per cent of States parties have not taken a first step towards ensuring an adequate income for families by establishing a national minimum wage, either through legislation or sectoral collective bargaining. In an additional 23 per cent of States parties, the established minimum wage is less than US$2.00 per day in purchasing power parity adjusted dollars for a working adult and his or her dependent child.[17]

Additional income protection is also needed to support families during unemployment, to ensure that an adequate standard of living for children is maintained. Ninety per cent of States parties guarantee at least some form of income protection during unemployment. However, most of these guarantees are unlikely to cover workers in the informal economy. Forty-six per cent of States parties only guarantee severance pay from employers and an additional 29 per cent guarantee government unemployment benefits, but exclude those who are self-employed. Only 16 per cent of States parties explicitly provide unemployment benefits to the self-employed, a category that includes many of the poorest parents in the world.

PROGRESS AND GAPS IN THE IMPLEMENTATION AND REALIZATION OF RIGHTS

The process of establishing laws and policies at the country level is an essential first step, but this does not guarantee full implementation of any law. Minimum



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Children swing in the playground at a UNICEF-supported school in Phang Nga Province, Thailand. The Convention on the Rights of the Child recognizes children's right to engage in play and recreational activities.

wage protections can only translate into family income when they are enforced. Likewise, laws to prevent hazardous child labour can only keep children safe when implemented.

Similarly, guarantees of tuition-free and compulsory education are not enough to ensure that all children receive an education when other school fees remain, children lack access to transportation to school, or teachers are inadequately trained. Moreover, although there are far more children enrolled in school today than there were 25 years ago, quality education and the completion of secondary school are more important than enrolment to ensure that all children have access to jobs that provide a decent income. Establishing a minimum age of marriage is not enough to protect girls in the absence of provisions that penalize child marriage and changes in cultural norms and values regarding child marriage.

We need to support and hold accountable our own countries and our global community for taking the first step necessary for the rights enshrined in the Convention to be realized: passing laws and enacting policies at the national level. Yet, for the Convention to reach its full potential, all countries must also engage in the equally important and ongoing work of supporting and monitoring full implementation of these acts.

“Guarantees of tuition-free and compulsory education are not enough to ensure that all children receive an education.”

MAPPING PROGRESS, PUTTING READILY USABLE DATA IN PUBLIC HANDS

By ratifying the Convention on the Rights of the Child, States parties have made a commitment to the children in their nations. Citizens deserve to receive regular updates on how their own countries are fulfilling that commitment, as well as how they compare to other countries that are facing similar opportunities and constraints. Policymakers deserve credit for the actions they take to help all children realize their rights. And, as a global community, we need to know where the gaps are around the world, the issues on which we need to focus our attention, and the problems that need to be solved in order to realize the commitments of the Convention in national laws, policies, programmes and actions.

In article 44, the Convention outlines the ways in which States parties will report on their implementation of its principles. It establishes a periodic reporting process that requires States parties to submit an initial report to the Committee on the Rights of the Child two years after acceding to the Convention, and progress reports every five years thereafter. These reviews remain valuable as they provide an opportunity for an in-depth review of the fulfilment of children’s rights in individual countries.

> “To make the promise and principles of the Convention a reality will require active engagement by citizens and civil society worldwide.”

But if we are to accelerate change, we need to take advantage of the new information and communications technology that has been developed since the adoption of the Convention, to provide actionable real-time information to citizens, civil society and government leaders alike. Everyone should be able to access updated information about what countries are doing via their cell phones. Electronic maps should readily show the steps that countries have taken and where gaps remain.

Action steps that leaders take, such as passing laws and enacting policies relevant to each article of the Convention, should be readily visible to all, as should all measures of implementation. Thousands of pages of national legislation that are already being collected by the United Nations, but are currently difficult to access because of their length and variety of languages, could be translated into ready-to-understand maps that clearly show the protections afforded children in different countries. We demonstrate what the transparent mapping of national laws and policies could look like at <www.worldpolicyforum.org>. Existing surveys in countries around the world could be used to monitor implementation of the Convention and to ask citizens whether they are receiving free education; about the nature of health services they receive; and about the effectiveness of poverty alleviation programmes, to name a few examples. Moreover, through interactive technology, children and families could supplement survey measures of implementation by providing direct input about the nature and extent of implementation of these policies.

No document offers more promise for children than the Convention on the Rights of the Child. Important progress has been made by States parties in fulfilling their commitments to children under the Convention, but much remains to be done. The future of millions of children depends on how fast the world acts. Making actionable real-time information widely available will be a key element of this process. To make the promise and the principles of the Convention a reality will require active engagement by citizens and civil society worldwide to ensure that States parties act quickly and comprehensively to ensure rights for *all* children.

NOTES

1 United Nations Treaty Collection, Convention on the Rights of the Child, Chapter IV, Human Rights, Resolution 44/25 of 20 November 1989, <https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&lang=en>, accessed 14 September 2014.

2 Heymann, Jody, and Kristen McNeill, *Children's Chances: How countries can move from surviving to thriving*, Harvard University Press, Cambridge, MA, 2013. *Children's Chances* was accompanied by a website that compiled comparative data about a range of policies affecting children's health and development. *See* <www.worldpolicyforum.org>.

3 Heymann, Jody, Kristen McNeill and Amy Raub, 'Assessing Compliance with the CRC: Indicators of law and policy in 191 countries, *International Journal of Children's Rights*, forthcoming.

4 Governance and Tripartism Department, International Labour Office, 'Marking Progress against Child Labour: Global estimates and trends 2000–2012, International Labour Organization, Geneva, 2013.

5 United Nations, *The Millennium Development Goals Report 2014*, United Nations, New York, 2014, p. 16.

6 WORLD Policy Analysis Center, Education Database.

7 United Nations, *The Millennium Development Goals Report 2014*, United Nations, New York, 2014, p. 20. The third region is Western Asia.

8 WORLD Policy Analysis Center, Education Database; United Nations, *The Millennium Development Goals Report 2014*, United Nations, New York, 2014, p. 20.

9 Heymann, Jody, et al., 'Constitutional Rights to Education and their Relationship to National Policy and School Enrolment', *International Journal of Educational Development*, forthcoming.

10 Heymann, Jody, et al., 'Constitutional Rights to Health, Public Health and Medical Care: The status of health protections in 191 countries', *Global Public Health: An International Journal for Research, Policy and Practice*, vol. 8, no. 6, pp. 639–653.

11 Governance and Tripartism Department, International Labour Office, 'Marking Progress against Child Labour: Global estimates and trends 2000–2012', International Labour Organization, Geneva, 2013, p. 3.

12 Latz, Isabel K., et al., 'Measuring and Mapping Policy Progress: One of the necessary steps in increasing accountability', Policy brief submitted to call for evidence by WHO independent Expert Review Group (iERG) on Accountability for Women's and Children's Health, 2013.

13 United Nations Children's Fund, *Ending Child Marriage: Progress and prospects*, UNICEF, New York, 2014, p. 1.

14 MACHEquity, Child Marriage Database, <http://machequity.com/data/policy>, accessed 16 September 2014.

15 WORLD Policy Analysis Center, Constitutions Database, <http://worldpolicyforum.org/methods/equal-rights-and-discrimination/>, accessed 16 September 2014.

16 World Health Organization and World Bank, *World Report on Disability*, WHO, Geneva, 2011, p. 206–208.

17 Heymann, Jody, Kristen McNeill and Amy Raub, 'Rights Monitoring and Assessment using Quantitative Indicators of Law and Policy: International Covenant on Economic, Social, and Cultural Rights', *Human Rights Quarterly*, forthcoming.



TAKING CHILDREN SERIOUSLY:

A call for the enhanced engagement of children in the discourse on digital rights

by **URS GASSER**



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Photo credit: © Asia Kepka

This year, we celebrate the 25th anniversaries of two very different, but equally significant, events: the adoption of the Convention on the Rights of the Child by the United Nations General Assembly[2] and the invention of the World Wide Web by Sir Tim Berners-Lee.[3]

The Convention made an extraordinary promise to children by setting out their civil, political, economic, social, health and cultural rights,[4] and millions of children around the world have since benefited. The release of the code for the Web to the public marked the inception of the Web as we know it, and today there are close to 3 billion users worldwide.[5] While largely unrelated back in 1989, the Convention and the Web share important challenges and opportunities in 2014.

Both the Convention as a social innovation and the Web as a technical innovation have had transformative impacts and made the world a better place. The Convention has served as a blueprint for legislation to ensure that children have the opportunity to develop to their fullest potential, and a powerful advocacy tool for organizations that promote the health and well-being of all children. For its part, the Web has connected and helped to empower children around the world, offering them novel opportunities for self-expression, creativity, learning and civic engagement.[6]

At the same time, the promises of the two jubilaires equally remain works in progress. In the case of the Convention, disparities still persist in children's rights to survive and thrive.[7] And the Web struggles to overcome digital divides and skill gaps,[8] as large parts of the world's population remain unconnected,[9] all while the promise of a free and open Web – a foundational aspect of any robust democracy – is coming under threat. At this critical junction, the Convention and the Web need a renewed and redoubled commitment by all of us that ultimately translates into globally coordinated action and collaboration among all relevant groups and stakeholders. Addressing the gaps, divides,

disparities and risks that children face both online and offline is not only a moral imperative and responsibility, but also a social and even economic necessity.

The promise of and the need for a renewed commitment are not the only connection points between the Convention and the Web as we celebrate their 25th anniversaries. In 2014, they are more deeply interconnected than ever before. The Web – an information-sharing model built on top of the Internet – has become the main technology through which children with access, skills and agency exercise the information and communication rights protected under the Convention. Children use the Web to seek and engage with information and knowledge, to share important moments in their lives, and to build and maintain relationships across borders. They also use the Web for creative expression, to participate in their communities and, as they grow up, to contribute to the digital economy.[10]

As the Web becomes an important part of many children's lives, and as government and business leaders, civil society actors and other stakeholders engage in global conversations and take increasingly coordinated action to bring the millions of unconnected people onto the Web, we must take the 25th anniversary of the Convention as an opportunity to think carefully, but open-mindedly, about the interplay between children's rights and information and communication technology.[11] We need to create a vision and road map of how to use both the law and technology to overcome the gaps, divides and disparities in children's enjoyment of fundamental rights in the digital age. It is equally important that we include children in these discussions, just as young people around the world are currently contributing to the Web We Want initiative[12] as part of the Web's 25th anniversary.



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Children use a computer at a home in the south-eastern city of Rustavi, Georgia.



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Students learn to play with a painting software on a computer at a school in Rangamati, Bangladesh.

It is encouraging to see that such conversations have begun taking place this year, most prominently at the recent Day of General Discussion of the Committee on the Rights of the Child.[13] At this event, leading scholars and practitioners shared research data about children's digital experiences and discussed possible changes to the Convention to make it fit for the digitally connected environment in which many of our children are increasingly growing up.[14] However, we can and must take the engagement of children a step further as we explore and shape their rights for a digital future. I propose a broader, more strategic and globally networked approach to the involvement of children and youth in the ongoing conversations about their digital rights.

The proposed approach seeks to engage young people across all relvant phases of contemporary debates on digital rights, including research, action and education, and evaluation. It leverages the Web, strengthens cross-generational collaborations and can build upon the lessons learned from youth-oriented initiatives around the world. Youth and Media[15] at the Berkman Center for Internet & Society,[16] for example, is a project that models how young people can inform global research efforts aimed at better understanding the digitally connected lives of children, and help interpret findings from such research. A recent report submitted by the Young and Well Cooperative Research Centre on the Day of General Discussion of the Committee on the Rights of the Child, reflecting the views of 148 children from 16 countries, shows how much insight children can contribute as we consider their digital rights.[17] And recent work by the Centre for Justice and Crime Prevention (CJCP) and UNICEF in South Africa, illustrates the importance of working with young people and peer groups as we seek to turn policies into successful on-the-ground interventions and experiences.[18]

“I propose a broader, more strategic and globally networked approach to the involvement of children and youth in the ongoing conversations about their digital rights.”

As these and many other experiences in the field have taught us, an enhanced strategy for children's engagement across all phases of the evolving digital rights discourse, at both national and international levels, requires proper training of all actors involved. Educators have to be trained so that they are not only effective teachers, but good mentors who engage creatively as well as responsibly with children, using the Web and other digital technologies. Adequate support and oversight structures need to ensure that the risks associated with the use of the Web in connected spaces of learning and engagement of children are properly addressed and the opportunities maximized. Serious work with children on the digital rights agenda also requires financial resources – for instance, to enable access and foster digital skill-building – and time commitments by caregivers, educators and, ultimately, policymakers. Above all, efforts require a strong collective commitment to take children and young people seriously as we seek to close digital gaps and overcome disparities, and to hear their views on matters that affect them, as the Convention demands.

Whether in the context of the Convention on the Rights of the Child or the World Wide Web, concerted and global efforts must engage children more extensively in conversations about their future. If we fail to do so, we run the risk during the next 25 years of formulating treaties, laws and policies on digital rights that are disconnected from the realities of an increasingly digitally connected generation of young people, and won't succeed in making the world a better place, especially for the most vulnerable and marginalized children.



Minneh, 14, and friends read a text on a mobile phone in Cura village, 20 km from central Nairobi, Kenya.

NOTES

1 <http://hls.harvard.edu/faculty/directory/10298/Gasser>.

2 United Nations General Assembly, Convention on the Rights of the Child, A/RES/44/25, United Nations,New York, 20 November 1989, <www.un.org/documents/ga/res/44/a44r025.htm>.

3 World Wide Web Foundation, <http://webfoundation.org/about/sir-tim-berners-lee/>.

4 See the Convention on the Rights of the Child, available at <www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>.

5 International Telecommunication Union (ITU). Key 2005–2014 (Excel). <www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx> (see Excel spreadsheet; for example cells K39, U39).

6 Palfrey, John, and Urs Gasser, *Born Digital: Understanding the first generation of digital natives*, Basic Books, New York, 2008.

7 UNICEF, CRC@25 report, <http://uni.cf/1x324qj>.

8 Hargittai, Eszter, 'Digital Na(t)ives? Variation in Internet skills and uses among members of the 'netgeneration', *Sociological Inquiry,* vol. 80, no. 1, 2010, pp. 92–113, available at <http://onlinelibrary.wiley.com/doi/10.1111/j.1475-682X.2009.00317.x/abstract>.

9 International Telecommunication Union (ITU). Key 2005-2014 (Excel). <www.itu.int/en/ITU-D/Statistics/Pages/stat/default.aspx> (see Excel spreadsheet; cell K40); and ITU, *Measuring the Information Society*, ITU, Geneva, 2013, pp. 127-158, <www.itu.int/en/ITU-D/Statistics/Documents/publications/mis2013/MIS2013_without_Annex_4.pdf>.

10 Costanza-Chock, Sasha, 'Youth and Social Movements: Key lessons for allies', Born This Way Foundation and Berkman Center for Internet & Society, Culver City, Calif., and Cambridge, Mass., 17 December 2012, available at <http://cyber.law.harvard.edu/sites/cyber.law.harvard.edu/files/KBWYouthandSocialMovements2012_0.p df>; Gasser, Urs, et al., 'Youth and Digital Media: From credibility to information quality', Berkman Center for Internet & Society, Cambridge, Mass., 16 February 2012, available at <http://ssrn.com/abstract=2005272>; Gil de Zúñiga, Homero, Nakwon Jung and Sebastián Valenzuela, 'Social Media Use for News and Individuals' Social Capital, Civic Engagement and Political Participation', Journal of Computer-Mediated Communication, vol. 17, no. 3, 2012, pp. 319–336, available at <http://onlinelibrary.wiley.com/doi/10.1111/j.1083-6101.2012.01574.x/pdf>; Junco, Reynol, 'iSpy: Seeing what students really do online', Learning, Media and Technology, vol. 39, no. 1, 2014, pp. 75–89, available at <http://blog.reyjunco.com/pdf/JuncoiSpyLMT.pdf>; and Madden, Mary, et al., 'Teens, Social Media, and Privacy', Pew Research Center's Internet & American Life Project, Washington, D.C., 21 May 2013, available at <www.pewinternet.org/files/2013/05/PIP_TeensSocialMediaandPrivacy_PDF.pdf>.

11 Kleine, Dorothea, David Hollow and Sammie Poveda, *Children, ICT and Development: Capturing the potential, meeting the challenges*. Innocenti Insight.United Nations Children's Fund, UNICEF Office of Research, Florence, 2014, <www.unicef-irc.org/publications/pdf/unicef_royalholloway_ict4dreport_final.pdf>; and Livingstone, Sonia, and Monica Bulger, *A Global Agenda for Children's Rights in the Digital Age: Recommendations for developing UNICEF's research strategy*. United Nations Children's Fund, Office of Research, Florence, 2013, <www.unicef-irc.org/publications/pdf/lse%20olol%20final3.pdf>. See also: <www.digitallyconnected.org>.

12 <https://webwewant.org>.

13 For more information, see <www.ohchr.org/EN/HRBodies/CRC/Pages/Discussion2014.aspx>.

14 'Digital Media and Children's Rights', no. DGD2014, Storify.com, available at <https://storify.com/UNrightswire/digital-media-and-children-s-rights- dgd2014?utm_source=t.co&awesm=sfy.co_cr0w&utm_medium=sfy.co-twitter&utm_content=storify- pingback&utm_campaign=>.

15 <http://youthandmedia.org>.

16 <http://cyber.law.harvard.edu>.

17 Third, Amanda, et al., 'Children's Rights in the Digital Age', Young and Well Cooperative Research Centre, Melbourne, Australia, 2014, available at <www.youngandwellcrc.org.au/knowledge- hub/publications/childrens-rights-in-the-digital-age>.

18 Samuels, Crystal, et al., 'Connected Dot Com: Young people's navigation of online risks – Social media, ICTs & online safety', Centre for Justice and Crime Prevention and UNICEF South Africa, Cape Town and Pretoria, South Africa, 2013, available at <www.unicef.org/southafrica/SAF_resources_connecteddotcom.pdf>.

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Cover:
Hama Omar, 8, attends Amharic class at an alternative basic education center, presently upgraded as a primary school, in Afar region, Ethiopia. Primary school completion rates by pastoralist communities are generally quite low.
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Page ii:
A health worker in Maharashtra, India, washes the hands of a young girl, a part of the Integrated Child Development Scheme that provides health and nutrition education for mothers along with other services.
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Page 6:
A woman holds a baby boy as she walks through a village near the southern city of Medenine, Tunisia.
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Page 58:
A student plays the cello during a class at the Vision Nouvelle School in Haiti. The school is 1 of only 10 across Haiti that offers music classes to its students.
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Page 66:
When asked what she wants to be when she grows up, a four-year-old girl at a displacement site in Bangui, Central African Republic, responds, "I want to be a midwife so I can be near women in the hospital."
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Page 104:
Two boys at a primary school in the Ramgamati lake district, in south-eastern Bangladesh. Most districts in the region are remote; for many children going to school involves a long walk and a boat ride.
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Page 116:
In Maroantsetra, Madagascar, young people participating in a Voices of Youth Maps workshop capture a report about their environment. The report was uploaded to an online map using global positioning system (GPS) coordinates. Voices of Youth Maps is an online platform that utilizes digital mapping and media to engage and empower young people.
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